

SENATE

STATE OF MINNESOTA

EIGHTY-NINTH SESSION

S.F. No. 917

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DATE	D-PG	OFFICIAL STATUS
02/19/2015	355	Introduction and first reading Referred to Health, Human Services and Housing

A bill for an act
relating to insurance; requiring coverage for opioid analgesics with
abuse-deterrent properties; proposing coding for new law in Minnesota Statutes,
chapter 62Q.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[62Q.528] OPIOID ANALGESICS WITH ABUSE-DETERRENT PROPERTIES.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given them.

(b) "Abuse-deterrent opioid analgesic drug product" means a brand or generic opioid analgesic drug product approved by the United States Food and Drug Administration (FDA) with abuse-deterrence labeling claims that indicate the drug product is expected to result in a meaningful reduction in abuse of opioids.

(c) "Opioid analgesic drug product" means a drug product in the opioid analgesic drug class prescribed to treat moderate to severe pain or other conditions and includes immediate release, extended release, and long-acting forms and whether or not combined with other drug substances to form a single drug product or dosage form.

Subd. 2. **Required coverage.** (a) A health plan that provides prescription drug coverage must provide coverage for abuse-deterrent opioid analgesic drug products as a preferred drug on the health plan company's drug formulary or preferred drug list.

(b) Cost-sharing requirements for abuse-deterrent opioid analgesic drug products must not exceed the lowest cost-sharing requirements applied to other covered prescription drugs on the drug formulary or preferred drug list.

2.1 Subd. 3. **Prior authorization.** (a) A health plan company shall not impose as part
2.2 of a prior authorization or utilization review requirement the use of a non-abuse-deterrent
2.3 opioid analgesic drug product in order to access an abuse-deterrent opioid analgesic drug
2.4 product.

2.5 (b) Nothing in this subdivision prevents a health plan company from applying a
2.6 prior authorization requirement to an abuse-deterrent opioid analgesic drug product, so
2.7 long as the same prior authorization requirements are applied to non-abuse-deterrent
2.8 opioid analgesic drug products.

2.9 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to any
2.10 health plan issued or renewed on or after that date.