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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3665

02/13/2024 Authored by Smith
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; amending the definition of prescription to allow for
1.3 patient-specific indications for use; requiring the Board of Pharmacy to adopt rules
1.4 relating to prescription drug labeling; amending Minnesota Statutes 2022, section
1.5 151.01, subdivision 16a.

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

1.7 Section 1. Minnesota Statutes 2022, section 151.01, subdivision 16a, is amended to read:

1.8 Subd. 16a. Prescription. "Prescription" means a prescription drug order that is written
1.9 or printed on paper, an oral order reduced to writing by a pharmacist, or an electronic order.
1.10 To be valid, a prescription must be issued for an individual patient by a practitioner within
1.11 the scope and usual course of the practitioner's practice, and must contain the date of issue,
1.12 name and address of the patient, name and quantity of the drug prescribed, directions for
1.13 use, the name and address of the practitioner, and a telephone number at which the
1.14 practitioner can be reached. A prescription written or printed on paper that is given to the
1.15 patient or an agent of the patient or that is transmitted by fax must contain the practitioner's
1.16 manual signature. An electronic prescription must contain the practitioner's electronic
1.17 signature. A prescription must include instructions written in plain English explaining how
1.18 the patient should use the drug.

1.19 EFFECTIVE DATE. This section is effective the date that the rule adopted pursuant
1.20 to section 2 is effective under Minnesota Statutes, section 14.18.

1.21 Sec. 2. RULEMAKING; BOARD OF PHARMACY.

1.22 The Board of Pharmacy must amend Minnesota Rules, part 6800.3400, so that subpart
1.23 1 requires a prescription label to include:

- 2.1 (1) the complete and unabbreviated generic name of the drug;
- 2.2 (2) instructions written in plain English explaining how the patient should use the drug;
- 2.3 and
- 2.4 (3) the clinical indications for the drug.
- 2.5 The commissioner must comply with Minnesota Statutes, section 14.389, in adopting the
- 2.6 amendment to the rule.
- 2.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.