

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-FIRST SESSION**

**S.F. No. 3859**

(SENATE AUTHORS: UTKE and Hoffman)

DATE  
03/02/2020

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OFFICIAL STATUS  
Introduction and first reading  
Referred to Health and Human Services Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to human services; requiring the commissioner of human services to
- 1.3 develop a process to identify and report 340B drugs at point of sale.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. **ENCOUNTER REPORTING OF 340B DRUGS.**
- 1.6 (a) By January 1, 2021, the commissioner of human services, in consultation with
- 1.7 representatives of federally qualified health centers, as defined in Minnesota Statutes, section
- 1.8 145.9269, subdivision 1, shall develop a process to identify and report at point of sale the
- 1.9 340B drugs that are dispensed to enrollees of managed care organizations served by federally
- 1.10 qualified health centers in order to exclude 340B claims from the Medicaid drug rebate
- 1.11 program. In developing this process, the commissioner shall work with federally qualified
- 1.12 health centers, managed care organizations, and contracted pharmacies to ensure that 340B
- 1.13 entities are allowed to maximize the 340B program and the 340B program drug discounts
- 1.14 when 340B entities utilize contract pharmacies for patients enrolled in the prepaid medical
- 1.15 assistance program, while ensuring that duplicate discounts for these drugs do not occur.
- 1.16 (b) The commissioner shall inform the chairs and ranking minority members of the
- 1.17 legislative committees with jurisdiction over health and human services policy and finance
- 1.18 of the process developed under paragraph (a), or if applicable, the reasons why this process
- 1.19 could not be developed as required.