

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 3252

(SENATE AUTHORS: ABELER and Hoffman)

DATE	D-PG	OFFICIAL STATUS
03/29/2016	5312	Introduction and first reading Referred to Commerce

1.1 A bill for an act
 1.2 relating to commerce; eliminating the preauthorization requirement for
 1.3 compound drugs under the No-Fault Automobile Insurance Act; amending
 1.4 Minnesota Statutes 2014, section 65B.44, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2014, section 65B.44, subdivision 2, is amended to read:

1.7 Subd. 2. **Medical expense benefits.** (a) Medical expense benefits shall reimburse
 1.8 all reasonable expenses for necessary:

1.9 (1) medical, surgical, x-ray, optical, dental, chiropractic, and rehabilitative services,
 1.10 including prosthetic devices;

1.11 (2) prescription drugs, provided that:

1.12 (i) prescription drugs filled and dispensed outside of a licensed pharmacy shall be
 1.13 billed at the average wholesale price (AWP), or its equivalent, for that drug on that date
 1.14 as published in Medispan, Redbook, or Gold Standard Drug Database, as identified by
 1.15 its National Drug Code, plus a dispensing fee of \$4.18;

1.16 (ii) if a prescription drug has been repackaged, the average wholesale price used
 1.17 to determine the maximum reimbursement shall be the average wholesale price for
 1.18 the underlying drug product, as identified by its National Drug Code from the original
 1.19 labeler; and

1.20 (iii) compound drugs shall be billed by listing each drug and its National Drug Code
 1.21 number included in the compound and calculating the charge for each drug separately.
 1.22 Reimbursement shall be based on the sum of the fee for each ingredient for which
 1.23 there is an assigned National Drug Code number plus a single dispensing fee of \$4.18-

2.1 ~~Compound drugs shall not be dispensed without first obtaining preauthorization from the~~
2.2 ~~reparation obligor;~~

2.3 (3) ambulance and all other transportation expenses incurred in traveling to receive
2.4 other covered medical expense benefits;

2.5 (4) sign interpreting and language translation services, other than such services
2.6 provided by a family member of the patient, related to the receipt of medical, surgical,
2.7 x-ray, optical, dental, chiropractic, hospital, extended care, nursing, and rehabilitative
2.8 services; and

2.9 (5) hospital, extended care, and nursing services.

2.10 (b) Hospital room and board benefits may be limited, except for intensive care
2.11 facilities, to the regular daily semiprivate room rates customarily charged by the institution
2.12 in which the recipient of benefits is confined.

2.13 (c) Such benefits shall also include necessary remedial treatment and services
2.14 recognized and permitted under the laws of this state for an injured person who relies
2.15 upon spiritual means through prayer alone for healing in accordance with that person's
2.16 religious beliefs.

2.17 (d) Medical expense loss includes medical expenses accrued prior to the death of a
2.18 person notwithstanding the fact that benefits are paid or payable to the decedent's survivors.

2.19 (e) Medical expense benefits for rehabilitative services shall be subject to the
2.20 provisions of section 65B.45.

2.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.