

We are three weeks out from the first legislative deadline for the 2019 Minnesota legislative session. This past week, the Governor announced his 2020-21 budget: "*Governor Tim Walz announced his budget proposal for the biennium with a focus on making investments in education, health care, and community prosperity.*" The \$49.5 billion, two-year plan released last Tuesday pays for the Governor's priorities by using current tax revenues, a \$1.5 billion budget surplus as well as new taxes. House Minority Leader Doult called the budget "One expensive Minnesota" and Senate Majority Leader Gazelka and other Senate Republicans as they began their initial round of criticism and reaction to the budget proposal. The February forecast will be released by Minnesota Management and Budget next week, adding one more piece to the budget puzzle, after which both the House and Senate will begin crafting their own biennial budget plans.

The Governor's robust budget includes a \$274 million for Health Care, including the Minnesota Department of Human Services (MDHS) budget, [2019 DHS Budget Recommendations Senate \(PDF\)](#). Today, Commissioner Lourey began making the rounds to present the MDHS budget to the legislature. This afternoon he gave his budget presentation to a joint Senate Reform and Finance HHS Committee. The Governor's health care budget would, among other proposals, include \$815,000 for the Out Patient Drug Rule implementation funding and would collect \$25 million annually from the drug manufacturers, drug wholesalers, pharmacies and providers to fund opioid stewardship and other program dollars to tackle the opioid and mental health situation in Minnesota. It also repeals the sunset of the 2% Provider/Wholesaler tax that is set to blink off December 31st of this year. The budget also calls for \$4 million for the first phase of the ONECare - public buy-in option for Minnesotans purchasing their health insurance through the MNSure exchange and also includes one-time tax credits to individuals and families purchasing health insurance through MNSure to keep premiums lower.

The entire Walz Administration budget can be found here:

<https://mn.gov/mmb/budget/current-budget/governors-budget-recommendations/gov-budget-books.jsp>

Also, attached is this week's legislative MPA tracker (note there are additional bills that have been added and additional bills were introduced today).

This week is very important to the MPA. The House Commerce Committee will meet Wednesday at 6:00 PM to hear 12 bills related to pharmacy, including several Fair Practices bills, the PBM licensure and regulation legislation, [HF728](#), and emergency prescription authorities among other bills (posted today). One of the bills that we are trying to understand more about and may possibly have to oppose is [HF686](#), Representative Elkins legislation, that would require any pharmacy (or health system pharmacy) with an on-line presence to be "verified" with the National Boards of Pharmacy which may also include a ".pharmacy" website URL mandate and potentially a fee of up to \$250. Below is a list of this week's hearings important to MPA.

MPA representatives will be meeting with Representative Elkin tomorrow about his bill and the other bills before the Commerce Committee. Today, I met with Chair Halverson and her Committee Administrator for the Commerce Committee to go through HF728 and several other bills to be heard Wednesday evening. Below are the hearing details. Monday, Representative Liebling introduced the MDHS' Out Patient Drug Rule compliance legislation, [HF1297](#). As mentioned previously, the funding is included in the Governor's budget and Senator Benson has indicated she will include the funding and OPDR implementation in her HHS Finance bill to be introduced later in the Session. Also introduced today by Representatives Baker and Olson is a scaled down version of the Minnesota Board of Pharmacy's policy legislation, [HF1718](#).

Later this week, Senator Jensen, Klein and Abeler will introduce MPA's medication administration and pharmacists prescribing in three medication categories bills. We are meeting with Representative Mann and Morrison this week and should have the companions to the Senate legislation introduced in

the House late this week or early next. We are also working with Senator Rosen on her limited medication administration language currently contained in SF751, the Senator's Opioid Stewardship legislation.

Please let me know if you have any questions or need additional information.

MN House Commerce Committee hearing:

Wednesday, February 27, 2019 at 6:00 PM (part 2; convenes at the call of the Chair)

Chair: Rep. Laurie Halverson

Location: Basement Hearing Room

Time Note:

Committee will recess following the regularly scheduled Commerce Committee meeting time (see posting for 2:30 pm) and reconvene at the call of the chair to hear the bills listed here. Bills scheduled for the evening may be taken up in any order after reconvening.

Bills: ****All relate to pharmacy, prescription drugs or PBMs****

- [HF728](#) (Mann) - Pharmacy benefit managers licensure and regulations created, and rulemaking authorized.
- [HF149](#) (Bahner) - Health plan company prohibited from contractually preventing a pharmacist from informing a patient of a price differential.
- [HF743](#) (Bahner) - Prescription drug co-payments limited.
- [HF688](#) (Bahner) - Pharmacists allowed to provide drug refills without prescriptions, insurance coverage required, and rulemaking authorized.
- [HF923](#) (Howard) - Emergency prescription refills provided.
- [HF687](#) (Bahner) - Prescription drug refills synchronization provided.
- [HF723](#) (Elkins) - Pharmacist penalties for sharing certain information prohibited, and synchronization of prescription drug refill requirements established.
- [HF1246](#) (Morrison) - Prescription Drug Price Transparency Act established, and report required.
- [HF1257](#) (Cantrell) - Prescription drug benefit transparency and disclosure required.
- [HF1523](#) (Cantrell) - Commissioner of human services directed to establish prescription drug purchasing program, and program authority and eligibility requirements specified.
- [HF892](#) (Stephenson) - Pharmacy licensure requirements modified.
- [HF686](#) (Elkins) - Pharmacy licensure requirements modified.

Week of February 25th - Hearings important to MPA :

Tuesday, February 26th:

12:45 PM

Health and Human Services Finance Division

Room: 200 State Office Building

Chair: Rep. Tina Liebling

Agenda:

Department of Human Services 20-21 Budget Presentation

2:30 PM

Meeting Time Note: ***Please note that committee may run later than 4:00 p.m. and/or recess and reconvene in the evening depending upon bill testimony and discussion***

Commerce

Room: Basement Hearing Room

Chair: Rep. Laurie Halverson

Agenda:

[HF1501](#) Davnie Consumer short-term and small loans interest rates regulated.

[HF331](#) Edelson Tobacco; charter schools added to prohibition of tobacco in schools, tobacco sale age increased, administrative penalties increased, and alternative penalties allowed.

[HF349](#) Halverson Electronic cigarettes included in definition of smoking for purposes of the Minnesota Clean Indoor Air Act, and technical and clarifying changes made.

If you would like to testify, please email the committee administrator: Laura.Taken-Holtze@house.mn

Committee Documents:

[HF 331 A4 \(Edelson\)](#)

[HF 1501 A1 \(Davnice\)](#)

3:00 PM

Committee on Health and Human Services Finance and Policy

Chair: [Sen. Michelle R. Benson](#)

Room: 1200 Minnesota Senate Bldg.

Agenda:

[S.F. 349](#) [Jensen, S.](#) Interoperable electronic health records system mandate elimination.

[S.F. 350](#) [Jensen, S.](#) Physician restrictive noncompete agreements prohibition.

[S.F. 463](#) [Nelson](#) Tobacco in schools prohibition extension to charter schools; tobacco and tobacco-re products sale minimum age increase requirement.

Wednesday, February 27th:

12:45 PM

Health and Human Services Finance Division

Room: 200 State Office Building

Chair: Rep. Tina Liebling

Agenda:

[HF1058](#) Halverson Litigation proceeds required to be appropriated to commissioner of health and used for tobacco use prevention activities, and money appropriated.

[HF350](#) Mann Statewide cessation services to help Minnesotans quit using tobacco products authorized.

[HF940](#) Cantrell Palliative Care Advisory Council funding provided, and money appropriated.

2:30 PM

Meeting Time Note: The committee will recess at approximately 4:00pm and reconvene at approximately 6:45 pm in the same room (200 State Office Building).

Health and Human Services Policy

** See above hearing information **

Room: 200 State Office Building

Chair: Rep. Rena Moran

Agenda:

[HF815](#) [Acomb](#) Step therapy override procedures applied to state public health care programs.

[HF926](#) Bernardy Medical assistance coverage for weight loss drugs and pharmaceutical ingredients allowed.

[HF929](#) Richardson Commissioner of human services directed to seek brain injury waiver amendment, and traumatic brain injury definition for the state traumatic brain injury program modified.

[HF819](#) Edelson Cardiovascular technologist x-ray practice authorized.

[HF840](#) Lien Medical assistance adult dental coverage expanded to include periodontal disease nonsurgical treatment.

[HF814](#) Edelson School-linked mental health grants modified, report required, and money appropriated.

HF910	Edelson	Newborn hearing screening advisory committee expiration date extended.
HF1250	Bierman	Certified community behavioral health clinics governing provisions changed.
HF742	Morrison	Children's and parent's mental health provisions modified, and money appropriated.
HF637	Morrison	Health-related professions temporary license suspensions and background checks modified.
HF473	Liebling	Incontinence products and related supplies volume purchasing use prohibited, and preferred incontinence program for medical assistance repealed
HF909	Morrison	Prenatal care service programs and funding governed, and money appropriated.

Committee Documents:

[HF742 - A1 Author's Amendment](#)

[HF473 - A1 Author's Amendment](#)

3:00 PM

[Committee on Human Services Reform Finance and Policy](#)

Chair: [Sen. Jim Abeler](#)

Room: 1200 Minnesota Senate Bldg.

Agenda:

[S.F. 190](#) [Dziedzic](#)

Hennepin County grant funds to recruit foster families authorization and appropriation

[S.F. 751](#) [Rosen](#)

Opiate epidemic response; registration fee; response advisory council; response account appropriation; provisions modifications; valid photographic identification (photo ID) re for purchase; reporting.

S.F. XXXX [Abeler](#)

Maltreatment of Minors Act reorganization.

[S.F. 730](#) [Hayden](#)

Minnesota African American Family Preservation Act; African American welfare over council creation and appropriation.

Thursday, February 28th, 2019:

12:45 PM

[Health and Human Services Finance Division](#)

Room: 200 State Office Building

Chair: Rep. Tina Liebling

Agenda:

[HF400](#) [Olson](#) Opioid Stewardship Advisory Council, opioid stewardship account, and opiate product registration fee established; opioid addiction prevention, education, intervention, treatment, and recovery provisions modified; reports required; and money appropriated.

[HF1297](#) Liebling Medical assistance drug payment provisions modified.

Friday, March 1st, 2019

** There are NO relevant hearings for MPA **
