

New Minnesota Initiatives About Rx Affordability

SUMMER 2023

Technical fixes to existing Rx transparency reporting

[Laws of Minnesota 2023, chapter 70, article 2, sections 8-10, 43¹](#)

The Minnesota Department of Health (MDH) implemented technical fixes that became effective July 1, 2023, to current transparency reporting which require drug manufacturers to submit pricing, financial, and other data to MDH based on statutory thresholds for drugs with quickly increasing prices and high-priced new drugs.

Reporting expansion: drugs of public interest & additional supply chain entities

[Laws of Minnesota 2023, chapter 70, article 2, sections 8, 11-21²](#)

MDH will implement a new reporting stream in addition to existing price transparency reporting beginning in early 2024. In addition to drug manufacturers, MDH will receive data from wholesalers, pharmacy benefit managers (PBMs), and pharmacies.

Reporting entities will be required to report pricing data on a list of drugs “of significant public interest” published by MDH quarterly.

Prescription Drug Affordability Board (PDAB)

[Laws of Minnesota 2023, chapter 57, article 2, sections 28 – 38³](#)

MDH will support the new PDAB—expected to be established by January 1, 2024—which is authorized to conduct cost reviews of prescription drug products and set payment limits.

MDH will hold a position on the advisory council, share Rx data, and provide technical assistance to the PDAB by identifying drugs that meet statutory criteria and consulting to identify drugs that “create significant affordability challenges.”

340B covered entity reporting

[Laws of Minnesota 2023, chapter 70, article 16, section 5, subd.6⁴](#)

Health care entities that participate in the federal 340B Drug Pricing Program must report data related to their prescription drug purchases and payments to MDH annually beginning April 2024. MDH will prepare annual reports on the reported data.

Prohibition of excessive price increases for generic drugs

[Laws of Minnesota 2023, chapter 57, article 2, sections 22-27](#)⁵

As of July 1, 2023, excessive price increases of generic prescription drugs, as defined in law, are prohibited in Minnesota. MDH is tasked with identifying drugs that meet the statutory criteria and notifying manufacturers and the Attorney General's Office.

Cost-sharing limits for chronic disease Rx treatments

[Laws of Minnesota 2023, chapter 57, article 2, section 46](#)⁶

Beginning January 1, 2025, health plans must limit cost-sharing for prescription drugs and related supplies for certain chronic disease. This section applies to fully-insured plans, or plans regulated by the state.

Questions & more information

Visit the [RxPT website \(https://www.health.state.mn.us/data/rxtransparency/index.html\)](https://www.health.state.mn.us/data/rxtransparency/index.html) for more information about this initiative. If you are not yet subscribed to RxPT's GovDelivery messages and would like more regular updates on all of our work, you can [sign up using this link \(https://public.govdelivery.com/accounts/MNMDH/subscriber/new?topic_id=MNMDH_553\)](https://public.govdelivery.com/accounts/MNMDH/subscriber/new?topic_id=MNMDH_553).

References

¹ <https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/70/#laws.2.8.0>

² <https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/70/#laws.2.8.0>

³ <https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/57/#laws.2.28.0>

⁴ <https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/70/#laws.16.5.0>

⁵ <https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/57/#laws.2.22.0>

⁶ <https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/57/#laws.2.46.0>

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