



## Opioid Stewardship/Response Bill Comparison

|                                      | HF 400 (Olson)   | SF 751 (Rosen)   |
|--------------------------------------|--|--|
| Version                              | 5 <sup>th</sup> Engrossment  | 4 <sup>th</sup> Engrossment  |
| Status as of April 1, 2019           | Passed off the House floor; sent to Senate   | Passed through major committee stops; awaiting Senate floor action; scheduled for April 1  |
| Funding                              | Product Registration Fees:<br>- \$12 million for manufacturers<br>- \$8 million from wholesalers<br>- Based on units distributed in MN<br>- \$20 million total | Application Fees:<br>- \$55,000 for opioid manufacturers<br>- \$5,000 for all wholesale license holders<br>Registration Fee:<br>- \$250,000 for opioid manufacturers selling 2 million units or more in MN |
| Council                              | Creates a 22-member opioid product stewardship council and dedicated account for the deposit and use of funds  | Creates an 18-member opioid epidemic response advisory council and a dedicated account for the deposit and use of funds  |
| Prescriber Education                 | Mandates two hours of prescriber training  | Mandates two hours of prescriber training  |
| Prescribing Limits                   | 7-day limit with exceptions based on the prescriber's professional judgement   | 7-day limit with exceptions based on the prescriber's professional judgement; 5-day limit for people under 18 years old  |
| Pharmacy/Pharmacist Liability Limits | None; removed from the bill along with healthcare provider liability limits  |  |
| 30 Day Refill Limit                  | Prohibits first fill more than 30 days from the date written and prohibits refills on C-III and C-IV more than 30 days from last fill                          | Prohibits filling or refilling any opiate more than 30 days from date written (essentially no refills on C-III or C-IV)  |
| Reporting                            | Requires pharmacies to annually report opioid intracompany delivery or distribution not reported by a wholesaler beginning 3/1/2020                            |  |
| Med. Administration                  |  | Adds intramuscular and subcutaneous administration for alcohol and opioid dependency or mental health condition  |
| PMP Fees                             |  | Adds a not-to-exceed \$50 fee for those accessing PMP for third-party integrations   |
| Lowest Cost                          | Contains "lowest cost to consumers" language   |  |

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|---------------------------------|--|---|
| Take-Back                       | Allows sheriffs to meet existing take-back requirements through "alternative method"                 | Allows sheriffs to meet existing take-back requirements through a "medicine disposal program"   |
| Prescriber Continuing Education | Mandated 2 hours   | Mandated 2 hours  |
| Board of Pharmacy Funding       | \$284,000 to BOP for registration fee collection   | \$126,000 to BOP for registration fee collection; \$244,000 one-time (2020) for technology and operating costs for licensing activities; \$500,000 in 2020 and 2021 from opioid response account for operations |
| Grants                          | Authorizes grants for opioid addiction and substance use disorder treatment, recovery and prevention | Authorizes grants for opiate epidemic response  |
| General Funds Dollars           |  | Some general funding dollars are included in the bill, including \$2.3 million to the response fund in the event no money has been deposited by June, 2020  |
| Lawsuit Settlement Provision    |  | Reduces manufacturer fees to \$5,000 in the event there is a lawsuit settlement benefiting the State in the amount of over \$20 million.  |

*Provisions listed do not represent all the provisions in the respective bills and are subject to change.*

Update: 4/3/2019.