.................. moves to amend H.F. No. 688 as follows:

Delete everything after the enacting clause and insert:

"Section 1. [62Q.528] DRUG COVERAGE IN EMERGENCY SITUATIONS.

A health plan that provides prescription drug coverage must provide coverage for a prescription drug dispensed by a pharmacist under section 151.211, subdivision 3, under the terms of coverage that would apply had the prescription drug been dispensed according to a prescription.

Sec. 2. Minnesota Statutes 2018, section 151.01, subdivision 23, is amended to read:

Subd. 23. Practitioner. "Practitioner" means a licensed doctor of medicine, licensed doctor of osteopathic medicine duly licensed to practice medicine, licensed doctor of dentistry, licensed doctor of optometry, licensed podiatrist, licensed veterinarian, or licensed advanced practice registered nurse. For purposes of sections 151.15, subdivision 4; 151.211, subdivision 3; 151.252, subdivision 3; 151.37, subdivision 2, paragraphs (b), (e), and (f); and 151.461, "practitioner" also means a physician assistant authorized to prescribe, dispense, and administer under chapter 147A. For purposes of sections 151.15, subdivision 4; 151.211, subdivision 3; 151.252, subdivision 3; 151.37, subdivision 2, paragraph (b); and 151.461, "practitioner" also means a dental therapist authorized to dispense and administer under chapter 150A.

Sec. 3. Minnesota Statutes 2018, section 151.211, subdivision 2, is amended to read:

Subd. 2. Refill requirements. Except as provided in subdivision 3, a prescription drug order may be refilled only with the written, electronic, or verbal consent of the prescriber and in accordance with the requirements of this chapter, the rules of the board, and where applicable, section 152.11. The date of such refill must be recorded and initialed upon the
original prescription drug order, or within the electronically maintained record of the original
prescription drug order, by the pharmacist, pharmacist intern, or practitioner who refills the
prescription.

Sec. 4. Minnesota Statutes 2018, section 151.211, is amended by adding a subdivision to
read:

Subd. 3. Emergency prescription refills. (a) A pharmacist may, using sound professional
judgment and in accordance with accepted standards of practice, dispense a legend drug
without a current prescription drug order from a licensed practitioner if all of the following
conditions are met:

(1) the patient has been compliant with taking the medication and has consistently had
the drug filled or refilled as demonstrated by records maintained by the pharmacy;

(2) the pharmacy from which the legend drug is dispensed has record of a prescription
drug order for the drug in the name of the patient who is requesting it, but the prescription
drug order does not provide for a refill, or the time during which the refills were valid has
elapsed;

(3) the pharmacist has tried but is unable to contact the practitioner who issued the
prescription drug order, or another practitioner responsible for the patient's care, to obtain
authorization to refill the prescription;

(4) the drug is essential to sustain the life of the patient or to continue therapy for a
chronic condition;

(5) failure to dispense the drug to the patient would result in harm to the health of the
patient; and

(6) the drug is not a controlled substance listed in section 152.02, subdivisions 3 to 6,
except for a controlled substance that has been specifically prescribed to treat a seizure
disorder, in which case the pharmacist may dispense up to a 72-hour supply.

(b) If the conditions in paragraph (a) are met, the amount of the drug dispensed by the
pharmacist to the patient must not exceed a 30-day supply, or the quantity originally
prescribed, whichever is less, except as provided for controlled substances in paragraph (a),
clause (6). If the standard unit of dispensing for the drug exceeds a 30-day supply, the
amount of the drug dispensed or sold must not exceed the standard unit of dispensing.

(c) A pharmacist shall not dispense or sell the same drug to the same patient, as provided
in this section, more than one time in any 12-month period.
(d) A pharmacist must notify the practitioner who issued the prescription drug order not later than 72 hours after the drug is sold or dispensed. The pharmacist must request and receive authorization before any additional refills may be dispensed. If the practitioner declines to provide authorization for additional refills, the pharmacist must inform the patient of that fact.

(e) The record of a drug sold or dispensed under this section shall be maintained in the same manner required for prescription drug orders under this section.

Amend the title as follows:

Page 1, line 3, delete "authorizing rulemaking;"

Correct the title numbers accordingly