

**March 31, 2023**

**Public written testimony for SF2995 DE amendment**

**Name: Ann Ehlert, PharmD**

**Title: Testifying on my own behalf, pharmacist practicing in Minnesota  
Director of Pharmacy at a health plan**

**Comment:** Chair Wiklund, Vice Chair Mann, and Members of the Committee:  
Thank you for the opportunity to testify on SF2995.

Subd. 6d.(a) Prescription Drugs: I would like to testify against the changes in Subd. 6d of SF2995. This language is confusing. It shall exclude and may include, exclude or modify. I would suggest removing the changes to Subd 6d.(a) until further review can be done to refine changes to be consistent in the statute.


Subd. 36. I would like to testify against opt-out of managed care. Providing consistent services to members helps outcomes and helps establish relationships and trust. If members opt-out, and in, etc they do not get streamlined care.

I would like to testify in favor of Subd. 6d.(b) and the doula provisions. These are positive changes to benefit providers and members.

Subd. 13c. Formulary Committee:

I would like to testify against the changes to Subd. 13c. While the changes to the Formulary Committee are appropriate, getting physician participants is very, very difficult. It would present a hardship if the physician participants were of specific areas of medicine. It is difficult to get committee participants in general but placing restrictions on the types of participants will make it even more so. Physicians have many demands on their time, and finding the specialties listed, to participate four times a year, at the current honorarium will be near impossible. It will make it difficult to get enough physicians to meet the quorum requirements and may result in lack of action. I have set up a committee like this and it took 6 months to find only 2 physicians to participate.

Thank you



**Ann Ehlert, PharmD**

**Section for comment :  
SCS2995a**

43.27 Sec. 28. Minnesota Statutes 2022, section 256B.69, subdivision 6d, is amended to  
read:

43.28 Subd. 6d. **Prescription drugs.** (a) The commissioner ~~may~~ shall exclude or modify  
43.29 coverage for outpatient prescription drugs dispensed by a pharmacy to a medical assistance  
43.30 or MinnesotaCare enrollee from the prepaid managed care contracts entered into under this  
44.4 additional prescription drug rebates chapter and chapter 256L. The commissioner may  
44.5 include, exclude, or modify coverage for prescription drugs administered to a medical  
44.6 assistance or MinnesotaCare enrollee from the prepaid managed care contracts entered into  
44.7 under this chapter and chapter 256L.

### **Subd.13c. Formulary Committee**

14.25 Sec. 11. Minnesota Statutes 2022, section 256B.0625, subdivision 13c, is amended to  
14.26 read:

14.27 Subd. 13c. **Formulary Committee.** The commissioner, after receiving recommendations  
14.28 from professional medical associations and professional pharmacy associations, and consumer  
14.29 groups shall designate a Formulary Committee to carry out duties as described in subdivisions  
14.30 13 to 13g. The Formulary Committee shall be comprised of ~~four~~ at least five licensed  
14.31 physicians actively engaged in the practice of medicine in Minnesota, one of whom ~~must~~  
14.32 be actively engaged in the treatment of persons with mental illness is an actively practicing  
14.33 psychiatrist, one of whom specializes in the diagnosis and treatment of rare diseases, one

15.1 of whom specializes in pediatrics, and one of whom actively treats persons with disabilities;  
15.2 at least three licensed pharmacists actively engaged in the practice of pharmacy in Minnesota,  
15.3 one of whom practices outside the metropolitan counties listed in section 473.121, subdivision  
15.4 4, one of whom practices in the metropolitan counties listed in section 473.121, subdivision  
15.5 4, and one of whom is a practicing hospital pharmacist; and one at least four consumer  
15.6 representative representatives, all of whom must have a personal or professional connection  
15.7 to medical assistance; and one representative designated by the Minnesota Rare Disease  
15.8 Advisory Council established under section 256.4835; the remainder to be made up of health  
15.9 care professionals who are licensed in their field and have recognized knowledge in the  
15.10 clinically appropriate prescribing, dispensing, and monitoring of covered outpatient drugs.  
15.11 Members of the Formulary Committee shall not be employed by the Department of Human