March 20, 2025

Senate Taxes Committee
Minnesota State Capitol
St. Paul, MN 55155

Chair Rest and members of the committee,

Since our founding in 1984, Medical Alley has been committed to advancing innovation while protecting the environment. Alongside our partners and the undersigned companies and associations, we embrace the responsibility of minimizing environmental impacts to ensure a healthy and sustainable future for all Minnesotans.

As we balance environmental stewardship with protecting access to healthcare, Medical Alley has concerns about the impact of Senate File 2129, particularly its potential to disrupt the affordability, availability, and accessibility of critical medical devices, products and prescription drugs.

Amara's Law, passed in 2023, established an exemption under the testing requirements and prohibition sections for "**a prosthetic or orthotic device or to any product that is a medical device or drug or that is otherwise used in a medical setting or in medical applications regulated by the United States Food and Drug Administration**." This law recognized the critical role of non-water soluble PFAS in many medical devices, drugs, and medical products.

However, SF 2129 does not account for the fact that some products fall under the "currently unavoidable use" definition in Amara's Law for which there are no existing alternatives to PFAS. This bill would penalize essential healthcare products that have no viable substitute, potentially jeopardizing access to life-saving treatments and devices. Many of these products are necessary and critical for human health and safety and restricting their use could have severe unintended consequences.

Furthermore, SF 2129 could lead to market disruptions by impacting the production and distribution of medical products into Minnesota. This could make certain medical devices and prescription drugs unaffordable for consumers, potentially increasing overall healthcare costs. The bill also introduces a significant administrative burden with its monthly filing requirement, adding complexity and cost to an already heavily regulated industry. Additionally, there is concern about potential double taxation for manufacturers that produce and sell into the state, further exacerbating financial strain on the industry and ultimately, the patient.

Without an exemption, patients and healthcare providers may face greater barriers to accessing medical devices and technologies, such as:

- Medical Resonance Imaging (MRI)
- Computed Tomography
- Ultrasound
- Ventilator
- Contact lenses
- Stents
- IV solution bags and tubing
- Prosthetics
- Insulin pumps
- Surgical kits
- Catheters
- Syringes
- Instruments and equipment (shears, cutters, staplers) used in minimally invasive surgical procedures
- Blood collection bags
- Peritoneal dialysis solutions

With this scope in mind and the vast array of life-saving products that would fall under the reporting of this bill, we request the following amendment, which is consistent with current state law:

(a) This section does not apply to any of the following:

(b) A prosthetic or orthotic device or to any product that is a medical device or drug or that is otherwise used in a medical setting or in medical applications regulated by the United States Food and Drug Administration.

We appreciate your attention to this important issue and urge this committee to amend SF 2129 to include the exemption above. We are committed to working with policymakers to find a balanced approach that protects both public health and the environment while promoting innovation and economic growth in Minnesota.

Sincerely,

Roberta Antoine Dressen
President & CEO
Medical Alley