

Subject Definition of prescription drug for purposes of the antikickback law

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Overview

The federal antikickback law prohibits the provision of anything of value in return for a referral or the generation of business reimbursable under Medicare, Medicaid, and other federal health care programs. State law extends the scope of the federal antikickback provisions by also applying them to all persons in the state. Current state law provides an exemption from the state extension of the antikickback provisions for certain discounts, price reductions, and free supplies and samples for prescription drugs, medical supplies, and medical equipment. This bill modifies the definition of “prescription drug” to specifically include drugs administered through injection or other parenteral methods (“parenteral” generally refers to a non-oral means of drug administration).

Summary

Section	Description
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| 1 | Restrictions.
Amends § 62J.23, subd. 2. Includes prescription drugs administered through injection, or other parenteral methods, in the definition of “prescription drug” for purposes of the exemption of prescription drug discounts, price reductions, a limited-time free supply, or samples, from the state application of the Medicare antikickback law to all persons in the state. |
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