HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 127 **DATE:** March 1, 2005

Version: As introduced

Authors: Abeler and others

Subject: Cancer Drug Repository Program

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Overview

This bill establishes a cancer drug repository program allowing anyone to donate cancer drugs, and supplies needed to administer cancer drugs, to pharmacies and medical facilities to be distributed to individuals meeting certain eligibility requirements.

Section

1 **Cancer drug repository program.** Adds § 144.707. Creates a cancer drug repository program.

Subd. 1. Definitions. Defines "cancer drug," "medical supplies," "pharmacy," "medical facility," "pharmacist," "dispense," "practitioner," and "prescription drugs" for the purposes of the program.

Subd. 2. Establishment . Authorizes the commissioner of health to establish and maintain a cancer drug repository program where anyone may donate cancer drugs or medical supplies needed to administer cancer drugs for use by individuals meeting certain eligibility requirements that are established in rule. The drugs and supplies may be donated to a participating medical facility or pharmacy. Medical facilities and pharmacies accepting the donations may dispense the drugs or supplies to an eligible individual or distribute them to another participating medical facility or pharmacy.

Subd. 3. Requirements to be met. Establishes several requirements that must be met

before accepting and dispensing the donated cancer drugs or supplies.

- the drug or supply must be in its original, unopened, sealed, and tamper-evident unit dose packaging or, if in single unit doses, the single-unit packaging is unopened;

- the drug bears an expiration date that is later than six months after the date that the drug is donated;

- a pharmacist employed by or under contract with the participating medical facility or pharmacy determines that the drug or supply is not adulterated or misbranded and the pharmacist inspects the drug or supply before dispensing it; and

- the drug or supply is prescribed by a practitioner for use by an eligible individual and is dispensed to that individual by a pharmacist.

Subd. 4. Administration cost. No drug or supply may be resold. The participating medical facility or pharmacy may charge the eligible individual a fee determined by the commissioner of health.

Subd. 5. Participation. States that no medical facility, pharmacy, pharmacist, or practitioner is required to participate in the program.

Subd. 6. Liability. Removes certain liabilities of drug manufacturers, medical facilities, pharmacies, pharmacists, and practitioners.

Subd. 7. Rules. Directs the commissioner of health to adopt rules including:

- requirements for participating medical facilities and pharmacies;

- eligibility criteria;

- standards for handling and inspecting the donated drugs and supplies;

- eligibility criteria and prioritization standards for dispensing the drugs and supplies, that give priority to indigent and uninsured individuals but allow dispensing to others if an uninsured or indigent individual is unavailable;

- maximum handling fee; and

- a list of accepted and unaccepted cancer drugs and supplies.