MN HOUSE RESEARCH

Bill Summary

H.F. 1076

As introduced

Subject	Requirements for prescription drug formularies
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Overview

This bill sets requirements for pharmacy benefit managers (PBM) and health carriers with regard to including lower-cost prescription drugs and biologics or biosimilars in their formularies.

Summary

Section	Description
1	**Inclusion of lower-cost drugs in formulary.** Establishes § 62W.16. **Subd. 1. Definitions.** Defines terms for use in the section. **Subd. 2. Brand name, generic, and biosimilar drugs; inclusion of lowest-cost drug in formulary.** Sets requirements for when a PBM and a health carrier must include lower-cost brand name and generic drugs and brand name biologics and biosimilars in its formulary. **Subd. 3. New generic and biosimilar drugs; inclusion of lowest-cost drug in formulary.** Provides that a PBM and a health carrier must include a newly approved generic drug or biosimilar on its formulary when the generic drug or biosimilar: (1) is approved by the FDA; (2) is marketed pursuant to the approval; and (3) has a wholesale acquisition cost (WAC) that is less than the brand name drug or biologic or other generic or biosimilar already included the PBM's or health carrier's formulary. **Subd. 4. Formulary structure and tiering.** Sets requirements for how a PBM and a health carrier must structure its formulary to give preference to drugs, biologics, and biosimilars that have the lowest out-of-pocket costs to the patient. Makes the section effective January 1, 2026.