State of Minnesota

# HOUSE OF REPRESENTATIVES

**NINETY-FIRST SESSION**

**H. F. No. 3026**

02/11/2020 Authored by Mann, Albright, Edelson, Moller, Stephenson and others
The bill was read for the first time and referred to the Committee on Health and Human Services Policy
03/09/2020 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
04/17/2020 Referred to the Chief Clerk for Comparison with S. F. No. 3125
04/28/2020 Postponed Indefinitely

A bill for an act

relating to human services; exempting treatment from approved clinical trials from coverage; amending Minnesota Statutes 2018, section 256B.0625, subdivision 64.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2018, section 256B.0625, subdivision 64, is amended to read:

Subd. 64. **Investigational drugs, biological products, ~~and~~ devices, and clinical trials.** ~~(a)~~ Medical assistance and the early periodic screening, diagnosis, and treatment (EPSDT) program do not cover the costs of any services that are incidental to, associated with, or resulting from the use of investigational drugs, biological products, or devices as defined in section 151.375 or any other treatment that is part of an approved clinical trial as defined in section 62Q.526. Participation of an enrollee in an approved clinical trial does not preclude coverage of medically necessary services covered under this chapter that are not related to the approved clinical trial.

~~(b) Notwithstanding paragraph (a), stiripentol may be covered by the EPSDT program if all the following conditions are met:~~

~~(1) the use of stiripentol is determined to be medically necessary;~~

~~(2) the enrollee has a documented diagnosis of Dravet syndrome, regardless of whether an SCN1A genetic mutation is found, or the enrollee is a child with malignant migrating partial epilepsy in infancy due to an SCN2A genetic mutation;~~

~~(3) all other available covered prescription medications that are medically necessary for the enrollee have been tried without successful outcomes; and~~

~~(4) the United States Food and Drug Administration has approved the treating physician's individual patient investigational new drug application (IND) for the use of stiripentol for treatment.~~

~~This paragraph does not apply to MinnesotaCare coverage under chapter 256L.~~