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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3664

02/13/2024 Authored by Bierman, Reyer, Nadeau and Hemmingsen-Jaeger The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to human services; authorizing the commissioner of human services to
1.3 provide separate reimbursement for biological products provided in the inpatient
1.4 hospital setting as part of cell or gene therapy to treat rare diseases; amending
1.5 Minnesota Statutes 2022, section 256.969, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2022, section 256.969, is amended by adding a subdivision
1.8 to read:

1.9 Subd. 32. **Biological products for cell and gene therapy.** (a) The commissioner may
1.10 provide separate reimbursement to hospitals for biological products provided in the inpatient
1.11 hospital setting as part of cell or gene therapy to treat rare diseases, as defined in United
1.12 States Code, title 21, section 360bb. This payment must be in addition to the diagnostic
1.13 related group reimbursement for the inpatient admission or discharge associated with a stay
1.14 during which the patient received a product subject to this paragraph.

1.15 (b) The commissioner shall establish the separate reimbursement rate for biological
1.16 products provided under paragraph (a) based on the methodology used for drugs administered
1.17 in an outpatient setting under section 256B.0625, subdivision 13e, paragraph (e).

1.18 (c) The commissioner may require managed care and county-based purchasing plans to
1.19 comply with paragraph (a) when delivering services to medical assistance enrollees, and to
1.20 provide separate reimbursement for biological products that meets or exceeds the
1.21 reimbursement level established by the commissioner under paragraph (b).

1.22 **EFFECTIVE DATE.** This section is effective January 1, 2025.