State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3950

03/19/2018 Authored by Fischer
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

A bill for an act

relating to health; requiring an informed consent form to prescribe psychotropic medications; amending Minnesota Statutes 2016, section 152.12, by adding a subdivision.

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

Section 1. Minnesota Statutes 2016, section 152.12, is amended by adding a subdivision to read:

Subd. 6. **Informed consent; psychotropic medications.** (a) The Board of Pharmacy shall develop an informed consent form for each commonly prescribed psychotropic medication, to be used by a health care provider authorized to prescribe a controlled substance under subdivision 1 or the provider's designee. The consent form for each medication must include the following information or fields, and shall be updated as needed, but must be updated at least every two years:

(1) the patient's name and contact information;

(2) the category of the medication;

(3) the name of the medication;

(4) the daily total dosage range recommended by the Food and Drug Administration, the Physician's Desk Reference, or another standard reference used by the Board of Pharmacy;

(5) the anticipated dosage range for the individual patient;

(6) the method of medication administration;

(7) the reason or reasons for the use of the medication, and the benefits expected from the medication;

(8) any alternative methods of treatment other than or in addition to the medication;

(9) the probable consequences if the patient refuses the medication;

(10) all possible side effects of the medication, categorized as most common, less common, and rare;

(11) all additional necessary warnings relating to the medication's interaction with other medications, potential for dependence, and other safety concerns; and

(12) a list of the patient's rights under section 144.651 relating to medication consent.

(b) A health care provider who is authorized to prescribe a controlled substance under subdivision 1, or the provider's designee, shall provide a patient with the informed consent form developed by the Board of Pharmacy under paragraph (a) when prescribing a psychotropic medication for the patient. The patient or the patient's guardian and the health care provider or the provider's designee must sign the informed consent form for each psychotropic medication before the medication may be prescribed.

(c) For purposes of this subdivision, "psychotropic medication" means any medication prescribed to treat the symptoms of mental illness that affect thought processes, mood, sleep, or behavior. The major classes of psychotropic medication are antipsychotic (neuroleptic), antidepressant, antianxiety, mood stabilizers, anticonvulsants, and stimulants and nonstimulants for the treatment of attention deficit/hyperactivity disorder. Other miscellaneous medications are considered to be a psychotropic medication when they are specifically prescribed to treat a mental illness or to control or alter behavior.