

**2737.0900 TRANSPARENCY REPORTS TO PLAN SPONSORS.**

Subpart 1. **Publication of template.** The commissioner must post on the Department of Commerce's website a template that a plan sponsor may use to submit a transparency request of the data provided under Minnesota Statutes, section 62W.06, subdivision 1, paragraph (a). A plan sponsor is not required to use this template to submit a transparency data request.

Subp. 2. **Time to respond.** A pharmacy benefit manager doing business in Minnesota must reply to a formal transparency report request within 60 days of the date the request is made. A formal request is made when:

A. the plan sponsor has met criteria to request a transparency report from the pharmacy benefit manager under Minnesota Statutes, section 62W.06, subdivision 1, for the first time (but not for data prior to the execution of the initial contract start date); or

B. the plan sponsor provides evidence of perceived negligence with respect to a contractual duty between the pharmacy benefit manager and plan sponsor during the last contractual year.

Subp. 3. **Penalties and fines.** If a plan sponsor believes a pharmacy benefit manager has violated Minnesota Statutes, section 62W.06, subdivision 1, paragraph (a), the plan sponsor may file a complaint with the department 60 days after the date the transparency report request was made. A transparency report requested under Minnesota Statutes, section 62W.06, subdivision 1, paragraph (a), is untimely and subject to penalties on the 61st day after the date the report was requested by the plan sponsor.

**Statutory Authority:** *L 2019 c 39 s 20*

**History:** *46 SR 809*

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