

**Consolidated Fiscal Note**

**2023-2024 Legislative Session**

**HF1197 - 0 - Pharmacist Authority Expanded**

Chief Author: **Kristin Bahner**  
 Committee: **Health Finance And Policy**  
 Date Completed: **4/3/2023 8:47:15 AM**  
 Lead Agency: **Pharmacy Board**  
 Other Agencies:  
     Health Dept                              Human Services Dept

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings) Dollars in Thousands	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
<b>Health Dept</b>					
General Fund	-	864	864	513	513
<b>Human Services Dept</b>					
General Fund	-	130	145	91	73
<b>State Total</b>					
General Fund	-	994	1,009	604	586
	<b>Total</b>	<b>-</b>	<b>994</b>	<b>1,009</b>	<b>604</b>
			<b>2,003</b>		<b>1,190</b>

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
<b>Health Dept</b>					
General Fund	-	5	5	3	3
<b>Human Services Dept</b>					
General Fund	-	4	4	4	2
	<b>Total</b>	<b>-</b>	<b>9</b>	<b>9</b>	<b>5</b>

**Lead LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Shannon Zila      **Date:** 4/3/2023 8:47:15 AM  
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**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
<b>Dollars in Thousands</b>		<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
<b>Health Dept</b>						
General Fund	-	864	864	513	513	
<b>Human Services Dept</b>						
General Fund	-	130	145	91	73	
<b>Total</b>	<b>-</b>	<b>994</b>	<b>1,009</b>	<b>604</b>	<b>586</b>	
	<b>Biennial Total</b>		<b>2,003</b>		<b>1,190</b>	
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
<b>Health Dept</b>						
General Fund	-	864	864	513	513	
<b>Human Services Dept</b>						
General Fund	-	130	145	91	73	
<b>Total</b>	<b>-</b>	<b>994</b>	<b>1,009</b>	<b>604</b>	<b>586</b>	
	<b>Biennial Total</b>		<b>2,003</b>		<b>1,190</b>	
<b>2 - Revenues, Transfers In*</b>						
<b>Health Dept</b>						
General Fund	-	-	-	-	-	
<b>Human Services Dept</b>						
General Fund	-	-	-	-	-	
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
	<b>Biennial Total</b>		<b>-</b>		<b>-</b>	

**HF1197 - 0 - Pharmacist Authority Expanded**

Chief Author: **Kristin Bahner**  
 Committee: **Health Finance And Policy**  
 Date Completed: **4/3/2023 8:47:15 AM**  
 Agency: **Pharmacy Board**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>	-	-	-	-	-	-
<b>Biennial Total</b>			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>	-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Shannon Zila    **Date:** 2/24/2023 3:38:46 PM  
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**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-
<b>2 - Revenues, Transfers In*</b>						
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-

**Bill Description**

This bill expands licensed pharmacist authority to initiate, order, and administer vaccines and certain medical and laboratory tests; requiring coverage under medical assistance.

**Assumptions**

This bill makes permanent what has already been occurring through the PREP Act. If enacted, there would be minimal impact on the Board other than the possibility of some additional complaints. However, the number of complaints related to this is expected to be low. Consequently, it is anticipated that the Board will be able to absorb any expenses related to an increase in complaints within its existing budget.

**Expenditure and/or Revenue Formula**

N/A

**Long-Term Fiscal Considerations**

N/A

**Local Fiscal Impact**

N/A

**References/Sources**

**Agency Contact:** Jill Phillips (651-201-2834)

**Agency Fiscal Note Coordinator Signature:** Jill Phillips

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HF1197 - 0 - Pharmacist Authority Expanded

Chief Author: **Kristin Bahner**  
 Committee: **Health Finance And Policy**  
 Date Completed: **4/3/2023 8:47:15 AM**  
 Agency: **Health Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	864	864	513	513	
<b>Total</b>	<b>-</b>	<b>864</b>	<b>864</b>	<b>513</b>	<b>513</b>	<b>513</b>
<b>Biennial Total</b>			<b>1,728</b>			<b>1,026</b>

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	5	5	3	3
<b>Total</b>	<b>-</b>	<b>5</b>	<b>5</b>	<b>3</b>	<b>3</b>

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Shannon Zila    **Date:** 3/8/2023 2:52:09 PM  
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**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	864	864	513	513	
<b>Total</b>		<b>-</b>	<b>864</b>	<b>864</b>	<b>513</b>	<b>513</b>
<b>Biennial Total</b>				<b>1,728</b>		<b>1,026</b>
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
General Fund	-	864	864	513	513	
<b>Total</b>		<b>-</b>	<b>864</b>	<b>864</b>	<b>513</b>	<b>513</b>
<b>Biennial Total</b>				<b>1,728</b>		<b>1,026</b>
<b>2 - Revenues, Transfers In*</b>						
General Fund	-	-	-	-	-	
<b>Total</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Biennial Total</b>				<b>-</b>		<b>-</b>

**Bill Description**

This bill amends Minnesota Statutes, sections 151.01, by expanding the scope of practice for pharmacists, pharmacy technicians and pharmacy interns. The bill would allow pharmacists to initiate, order and administer vaccines according to CDC’s Advisory Committee on Immunization Practices (ACIP) schedules to individuals 3 years and older without working under a protocol. The bill would also allow pharmacists to delegate their authority to vaccinate to a pharmacy technician or a pharmacy intern. The bill does not include an effective date for section 1 of the bill. The department assumes an effective date of August 1. The bill does not include an appropriation.

**Assumptions**

Minnesota Statutes, section 256B.0625, requires that a provider who administers pediatric vaccines within the scope of their licensure, and who is enrolled as a medical assistance provider, must enroll in the Vaccines for Children (VFC) program. VFC is an entitlement program established in the Social Security Act that ensures that eligible children (under 19 and medical assistance eligible, uninsured, underinsured, and/or American Indian or Alaska Native) have access to routine childhood immunizations without a cost barrier. This program provides vaccines to enrolled providers at no cost to administer to eligible children.

The Minnesota Department of Health administers the federally funded Vaccines for Children program in Minnesota, known as the MnVFC program. MnVFC works to make all vaccines accessible and affordable for all children within their medical homes. The department enrolls providers into the MnVFC program, ensures providers store and handle vaccines appropriately through compliance visits, maintains a system for providers to order vaccines and distributes over \$50,000,000 worth of vaccine to enrolled providers.

Minnesota Statutes, section 145.671, enables the department to enroll licensed pharmacies as MnVFC providers based on the program’s infrastructure capacity to do so.

In 2020, to increase the number of vaccinators during the COVID-19 response, the Secretary of the U.S. Department of Health and Human Services issued a Public Readiness and Emergency Preparedness Act (PREP Act) declaration authorizing pharmacists to prescribe, dispense, and administer both COVID-19 vaccines and routine childhood vaccines to those aged three and older. This bill would make these same changes permanent in Minnesota law.

The department assumes that 200 additional pharmacy locations would enroll in MnVFC in the first two years. This assumption is based on data from the Minnesota Immunization Information Connection (MIIC) demonstrating that during the time that the PREP Act was in place there were 500 pharmacy locations across the state, not enrolled in MnVFC, that gave at least 100 doses of COVID-19 and 20 doses of influenza vaccine. The decision to use these dose numbers is

based on minimum vaccine order sizes. The department would prioritize enrolling the 200 pharmacies that served the most VFC eligible kids.

The department currently enrolls 15 new provider locations per year. Federal program requirements stipulate that each location must be enrolled individually and not at the system or corporate level. Therefore, this bill would create increased pharmacy demand to enroll in the MnVFC program that is beyond the current capacity of the department.

Enrolling 200 pharmacies would increase the number of sites in the program by 25%. One FTE currently enrolls 15 new provider locations per year. The department assumes that enrolling 200 pharmacies would require 4.0 FTE Public Health Nurses to complete 50 initial enrollment sites in fiscal years 2024 and 2025. The department assumes 2.0 FTE Public Health Nurses. staff are required to complete the biannual required site visits thereafter. The department also assumes that 1.0 FTE Health Program Rep is required to coordinate pharmacy support each year ongoing.

The department assumes additional expenses of \$14,747 for site visits, \$3,000 annually for printing educational resources and materials and \$750 per year in additional postage costs to mail the MnVFC policies and procedures manual to additional enrolled providers.

**Expenditure and/or Revenue Formula**

<b>Expenditure (Actual Dollars)</b>	<b>Amount</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Salary &amp; Fringe:</b>		FTE	FTE	FTE	FTE
Public Health Nursing Advisor Sr	145,822	4.00	4.00	2.00	2.00
Health Program Rep Senior	116,165	1.00	1.00	1.00	1.00
	<b>FTE</b>	<b>5.00</b>	<b>5.00</b>	<b>3.00</b>	<b>3.00</b>
	<b>Subtotal</b>	<b>699,453</b>	<b>699,453</b>	<b>407,809</b>	<b>407,809</b>
<b>Information Technology:</b>					
	<b>Subtotal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Other Operating Costs:</b>					
Site visit travel costs		14,747	14,747	14,747	14,747
Printing for educational resources and materials		3,000	3,000	3,000	3,000
Postage for mailing VFC policies and procedures manuals		750	750	750	750
	<b>Subtotal</b>	<b>18,497</b>	<b>18,497</b>	<b>18,497</b>	<b>18,497</b>
<b>Grants, Aids &amp; Subsidies:</b>					
	<b>Subtotal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Indirect (20.3% Eligible Costs)</b>	<b>Subtotal</b>	<b>145,744</b>	<b>145,744</b>	<b>86,540</b>	<b>86,540</b>
<b>Expenditure</b>	<b>Total</b>	<b>863,694</b>	<b>863,694</b>	<b>512,846</b>	<b>512,846</b>
<b>Fiscal Tracking (Dollars in Thousands)</b>		<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Health Protection BACT 03</b>		<b>864</b>	<b>864</b>	<b>513</b>	<b>513</b>
Administration		864	864	513	513

Grants		0	0	0	0
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**Long-Term Fiscal Considerations**

**Local Fiscal Impact**

**References/Sources**

- [https://www.ssa.gov/OP\\_Home/ssact/title19/1928.htm#ft257](https://www.ssa.gov/OP_Home/ssact/title19/1928.htm#ft257)
- <https://www.revisor.mn.gov/statutes/cite/145.671>
- <https://www.revisor.mn.gov/statutes/cite/256B.0625>
- <https://www.hhs.gov/sites/default/files/prep-act-guidance.pdf>
- <https://www.health.state.mn.us/people/immunize/hcp/mnvfc/index.html>

**Agency Contact:**

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HF1197 - 0 - Pharmacist Authority Expanded

Chief Author: **Kristin Bahner**  
 Committee: **Health Finance And Policy**  
 Date Completed: **4/3/2023 8:47:15 AM**  
 Agency: **Human Services Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings) Dollars in Thousands	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	130	145	91	73
<b>Total</b>	<b>-</b>	<b>130</b>	<b>145</b>	<b>91</b>	<b>73</b>
<b>Biennial Total</b>			<b>275</b>		<b>164</b>

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	4	4	4	2
<b>Total</b>	<b>-</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>2</b>

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Steve McDaniel    **Date:** 3/31/2023 9:50:32 PM  
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**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
<b>Dollars in Thousands</b>		<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
General Fund	-	130	145	91	73	
<b>Total</b>	<b>-</b>	<b>130</b>	<b>145</b>	<b>91</b>	<b>73</b>	
	<b>Biennial Total</b>		<b>275</b>		<b>164</b>	
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
General Fund	-	130	145	91	73	
<b>Total</b>	<b>-</b>	<b>130</b>	<b>145</b>	<b>91</b>	<b>73</b>	
	<b>Biennial Total</b>		<b>275</b>		<b>164</b>	
<b>2 - Revenues, Transfers In*</b>						
General Fund	-	-	-	-	-	-
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	<b>Biennial Total</b>		<b>-</b>		<b>-</b>	<b>-</b>

**Bill Description**

Section 1 would give pharmacists the ability to order, interpret, and administer certain CLIA waived lab tests and prescribe and administer vaccines.

Section 1 would also allow for the delegation of duties, including vaccine administration, to pharmacy technicians and interns and required MA to cover lab tests and vaccines ordered and administered by pharmacists to be covered at the same rate as other providers.

Section 2 would require medical assistance (MA) to cover vaccines as specified in section 1 at the same rate as that paid for services covered by any other licensed practitioner.

**Assumptions**

This bill is effective January 1, 2024.

In 2020, the Department of Human Services (DHS) began reimbursing pharmacists for vaccines ordered by a pharmacist in compliance with the federal Public Readiness and Emergency Preparedness (PREP) Act, removing the requirement that prescription for the vaccine come from an acting physician or Advance Practice Nurse for the purposes of Medical Assistance (MA) and MinnesotaCare reimbursement. In order to quickly comply with this emerging federal guidance, DHS enrolled pharmacies as providers. According to department data, there are currently 798 pharmacies that are billing for COVID vaccines.

In order to comply with extending this practice permanently, DHS assumes that pharmacists would need to be enrolled as individual providers, rather than at the pharmacy level. According to department data, there are currently 798 pharmacies that are billing for COVID vaccines. It is estimated that an additional 500 individual pharmacists will enroll annually under this language.

The increase in provider enrollment for individual pharmacists will necessitate additional FTEs in Medicaid Payments and Provider Services (MPPS). Two additional permanent FTEs (MAPE 5L) and two temporary two-year FTEs (MAPE 5L through September of 2025) would be responsible for enrollment and screening of the individual pharmacists. FTEs are assumed to begin in October 2023, and require an up-front administrative cost of \$17,744, and ongoing monthly administrative costs of \$2,228. Fringe benefits are estimated using the most recent union contracts. FTEs in the MPPS section are assumed at a state share of 29% to reflect their work in MMIS.

**Expenditure and/or Revenue Formula**

Fiscal Tracking Summary (\$000's)						
Fund	BACT	Description	FY2024	FY2025	FY2026	FY2027
GF	11	HCA Admin - FTEs (4,4,4,2)	130	145	91	73
		<b>Total Net Fiscal Impact</b>	<b>130</b>	<b>145</b>	<b>91</b>	<b>73</b>
		<b>Full Time Equivalentents</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>2</b>

**Long-Term Fiscal Considerations**

**Local Fiscal Impact**

**References/Sources**

**Agency Contact:**

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