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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 771

01/25/2023 Authored by Reyer, Bahner, Elkins, Koegel, Klevorn and others
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; expanding medical assistance coverage to include
1.3 prescription digital therapeutics; amending Minnesota Statutes 2022, section
1.4 256B.0625, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2022, section 256B.0625, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 3i. Prescription digital therapeutics. Medical assistance covers prescription
1.9 digital therapeutics. For purposes of this subdivision, "prescription digital therapeutics"
1.10 means a product, device, Internet application, or other technology that:

1.11 (1) is approved, cleared, or classified by the Food and Drug Administration under section
1.12 510(k), 513(f), or 515 of the federal Food, Drug, and Cosmetic Act;

1.13 (2) has an approved or cleared indication for the prevention, management, or treatment
1.14 a medical disease, condition, or disorder;

1.15 (3) uses software primarily to achieve its intended result; and

1.16 (4) can only be dispensed pursuant to a prescription.

1.17 EFFECTIVE DATE. This section is effective October 1, 2023, or upon federal approval,
1.18 whichever is later. The commissioner of human services must notify the revisor of statutes
1.19 when federal approval is obtained.