

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 1785

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DATE
02/24/2025

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Introduction and first reading
Referred to Health and Human Services

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to health; modifying medication repository program procedures;
1.3 appropriating money; amending Minnesota Statutes 2024, section 151.555,
1.4 subdivisions 6, 10.

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

1.6 Section 1. Minnesota Statutes 2024, section 151.555, subdivision 6, is amended to read:

1.7 Subd. 6. **Standards and procedures for accepting donations of drugs and supplies**
1.8 **and purchasing drugs from licensed wholesalers.** (a) Notwithstanding any other law or
1.9 rule, a donor may donate drugs or medical supplies to the central repository or a local
1.10 repository if the drug or supply meets the requirements of this section as determined by a
1.11 pharmacist or practitioner who is employed by or under contract with the central repository
1.12 or a local repository.

1.13 (b) A drug is eligible for donation under the medication repository program if the
1.14 following requirements are met:

1.15 (1) the drug's expiration date is at least six months after the date the drug was donated.
1.16 If a donated drug bears an expiration date that is less than six months from the donation
1.17 date, the drug may be accepted and distributed if the drug is in high demand and can be
1.18 dispensed for use by a patient before the drug's expiration date;

1.19 (2) the drug is in its original, sealed, unopened, tamper-evident packaging that includes
1.20 the expiration date. Single-unit-dose drugs may be accepted if the single-unit-dose packaging
1.21 is unopened;

2.1 (3) the drug or the packaging does not have any physical signs of tampering, misbranding,
2.2 deterioration, compromised integrity, or adulteration;

2.3 (4) the drug does not require storage temperatures other than normal room temperature
2.4 as specified by the manufacturer or United States Pharmacopoeia, unless the drug is being
2.5 donated directly by its manufacturer, a wholesale drug distributor, or a pharmacy located
2.6 in Minnesota; and

2.7 (5) the drug is not a controlled substance.

2.8 (c) A medical supply is eligible for donation under the medication repository program
2.9 if the following requirements are met:

2.10 (1) the supply has no physical signs of tampering, misbranding, or alteration and there
2.11 is no reason to believe it has been adulterated, tampered with, or misbranded;

2.12 (2) the supply is in its original, unopened, sealed packaging; and

2.13 (3) if the supply bears an expiration date, the date is at least six months later than the
2.14 date the supply was donated. If the donated supply bears an expiration date that is less than
2.15 six months from the date the supply was donated, the supply may be accepted and distributed
2.16 if the supply is in high demand and can be dispensed for use by a patient before the supply's
2.17 expiration date.

2.18 (d) The board shall develop the medication repository donor form and make it available
2.19 on the board's website. Prior to the first donation from a new donor, a central repository or
2.20 local repository shall verify and record the following information on the donor form:

2.21 (1) the donor's name, address, phone number, and license number, if applicable;

2.22 (2) that the donor will only make donations in accordance with the program;

2.23 (3) to the best of the donor's knowledge, only drugs or supplies that have been properly
2.24 stored under appropriate temperature and humidity conditions will be donated; and

2.25 (4) to the best of the donor's knowledge, only drugs or supplies that have never been
2.26 opened, used, tampered with, adulterated, or misbranded will be donated.

2.27 (e) Notwithstanding any other law or rule, a central repository or a local repository may
2.28 receive donated drugs from donors. Donated drugs and supplies may be shipped or delivered
2.29 to the premises of the central repository or a local repository, and shall be inspected by a
2.30 pharmacist or an authorized practitioner who is employed by or under contract with the
2.31 repository and who has been designated by the repository prior to dispensing. A drop box
2.32 must not be used to deliver or accept donations.

3.1 (f) The central repository and local repository shall maintain a written or electronic
3.2 inventory of all drugs and supplies donated to the repository upon acceptance of each drug
3.3 or supply. For each drug, the inventory must include the drug's name, strength, quantity,
3.4 manufacturer, expiration date, and the date the drug was donated. For each medical supply,
3.5 the inventory must include a description of the supply, its manufacturer, the date the supply
3.6 was donated, and, if applicable, the supply's brand name and expiration date. The board
3.7 may waive the requirement under this paragraph if an entity is under common ownership
3.8 or control with a central repository or local repository and either the entity or the repository
3.9 maintains an inventory containing all the information required under this paragraph.

3.10 (g) The central repository may purchase a drug from a wholesaler licensed by the Board
3.11 of Pharmacy to fill prescriptions for eligible patients when the repository does not have a
3.12 sufficient supply of donated drugs to fill the prescription. The central repository may use
3.13 any purchased drugs remaining after filling the prescriptions for which the drugs were
3.14 initially purchased to fill other prescriptions. Whenever possible, the repository must use
3.15 donated drugs to fill prescriptions.

3.16 Sec. 2. Minnesota Statutes 2024, section 151.555, subdivision 10, is amended to read:

3.17 Subd. 10. **Distribution of donated drugs and supplies.** (a) The central repository and
3.18 local repositories may distribute drugs and supplies donated under the medication repository
3.19 program to other participating repositories for use pursuant to this program.

3.20 (b) A local repository that elects not to dispense donated drugs or supplies that are
3.21 suitable for donation and dispensing must transfer all those donated drugs and supplies to
3.22 the central repository. A copy of the donor form that was completed by the original donor
3.23 under subdivision 6 must be provided to the central repository at the time of transfer. A
3.24 local repository must dispose of drugs and supplies in its possession that are not suitable
3.25 for donation or dispensing pursuant to subdivision 7.

3.26 Sec. 3. **APPROPRIATION; MEDICATION REPOSITORY PROGRAM.**

3.27 \$900,000 in fiscal year 2026 and \$900,000 in fiscal year 2027 are appropriated from the
3.28 general fund to the Board of Pharmacy for a contract under Minnesota Statutes, section
3.29 151.555. The base for this appropriation is \$900,000 in fiscal year 2028 and \$900,000 in
3.30 fiscal year 2029.