

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

S.F. No. 3904

(SENATE AUTHORS: WIKLUND)

DATE
03/10/2022

D-PG

Introduction and first reading
Referred to Health and Human Services Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to health; establishing a program to distribute antigen tests and KN95
1.3 respirators and similar respirators; appropriating money.

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

1.5 Section 1. **PROGRAM TO DISTRIBUTE ANTIGEN TESTS AND KN95**
1.6 **RESPIRATORS AND SIMILAR RESPIRATORS.**

1.7 Subdivision 1. Definitions. (a) The terms defined in this subdivision apply to this section.

1.8 (b) "Antigen test" means a lateral flow immunoassay intended for the qualitative detection
1.9 of nucleocapsid protein antigens from the SARS-CoV-2 virus in nasal swabs, that has
1.10 emergency use authorization from the United States Food and Drug Administration, and
1.11 that is authorized for nonprescription home use with self-collected nasal swabs.

1.12 (c) "KN95 respirator" means a type of filtering face-piece respirator that is commonly
1.13 made and used in China, that is designed and tested to meet an international standard, and
1.14 that does not include an exhalation valve.

1.15 Subd. 2. Program established. In order to help reduce the number of cases of COVID-19
1.16 in the state, the commissioner of health shall administer a program to distribute to individuals
1.17 in Minnesota antigen tests and KN95 respirators and similar respirators approved by the
1.18 Centers for Disease Control and Prevention and authorized by the commissioner for
1.19 distribution under this program. Antigen tests, KN95 respirators, and similar respirators
1.20 shall be distributed at no cost to the individuals receiving them and may be shipped directly
1.21 to individuals; distributed through local health departments, COVID community coordinators,
1.22 and other community-based organizations; and distributed through other means determined

2.1 by the commissioner. The commissioner may prioritize distribution under this section to
2.2 communities and populations who are disproportionately impacted by COVID-19 or who
2.3 have difficulty accessing COVID-19 tests or KN95 respirators or similar respirators.

2.4 Subd. 3. **Process to order antigen tests, KN95 respirators, and similar**
2.5 **respirators.** The commissioner may establish a process for individuals to order antigen
2.6 tests and KN95 respirators and similar respirators to be shipped directly to the individual.

2.7 Subd. 4. **Notice.** An entity distributing KN95 respirators or similar respirators under this
2.8 section may include with the respirators a notice that individuals with a medical condition
2.9 that may make it difficult to wear a KN95 respirator or similar respirator should consult
2.10 with a health care provider before use.

2.11 Subd. 5. **Coordination.** The commissioner may coordinate this program with other state
2.12 and federal programs that distribute respirators or at-home COVID-19 tests to the public.

2.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.14 Sec. 2. **APPROPRIATION; PROGRAM TO DISTRIBUTE ANTIGEN TESTS AND**
2.15 **KN95 RESPIRATORS AND SIMILAR RESPIRATORS.**

2.16 \$..... in fiscal year 2022 is appropriated from the general fund to the commissioner of
2.17 health for a program to distribute antigen tests and KN95 respirators and similar respirators
2.18 under section 1. This appropriation is available until June 30, 2023.