SENATE COUNSEL, RESEARCH, & FISCAL ANALYSIS

BILL SUMMARY

# S.F. No. 3859 – Coverage without cost-sharing requirement of immunization for routine use without a prescription (2nd Engrossment)

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## Bill Overview

**S.F. 3859** amends Minnesota's preventive services coverage statute to require coverage, without cost-sharing, of immunizations for routine use. The bill also establishes the Minnesota Science-Based Vaccine Advisory Council to develop and publish recommended vaccine schedules and to make recommendations regarding school and postsecondary immunization requirements. The bill includes an appropriation for the advisory council and an appropriation to the commissioner of commerce for defrayal payments.

## Section Summaries

**Section 1 (amends Minn. Stat. § 62Q.46, subd. 1; Coverage for preventive items and services)** This section amends the definition of "preventive items and services" and clarifies coverage requirements for health plan companies. Under existing law, "preventive items and services" are generally defined consistent with the Affordable Care Act. The bill expands the definition to specify that immunizations for routine use in children, adolescents, and adults are included if recommended by:

- The Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;
- The American Academy of Pediatrics; or
- The Minnesota Science-Based Vaccine Advisory Council.

Health plan companies must provide coverage for preventive items and services without imposing cost-sharing requirements, including deductibles, coinsurance, or copayments.

**Section 2 (adds Minn. Stat. § 62Q.46, subd. 4; Reimbursement)** This section requires the commissioner of commerce to reimburse health plan companies for the costs incurred to

provide the additional benefits mandated under this bill. The commissioner must make the defrayal payments in conformance with federal law (i.e., 45 C.F.R. § 155.170).

**Section 3 (adds Minn. Stat. § 62Q.46, subd. 5; Appropriation)** This section appropriates money from the general fund to the commissioner of commerce, beginning in fiscal year 2028, in the amount necessary to make defrayal payments.

**Section 4 (adds Minn. Stat. § 145.675; Minnesota Science-Based Advisory Council)** This section requires the commissioner of health to establish the Minnesota Science-Based Vaccine Advisory Council. This section provides membership, organization and meetings, duties and powers, and administration of the advisory council.

> **Subdivision 1 (Establishment)** This subdivision requires the commissioner to establish the Minnesota Science-Based Vaccine Advisory Council.
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> **Subdivision 2 (Membership)** This subdivision requires that members to the advisory committee are trusted scientists, clinicians, and public health leaders with knowledge of and backgrounds in vaccines and immunization. This subdivision also provides specific professional requirements for each of the minimum 14 members of the advisory council, and identifies an appointing authority for each member. This subdivision also requires the commissioner to develop an application process that an appointing authority must follow when appointing an applicant to the advisory council.
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> **Subdivision 3 (Terms)** This subdivision provides that council members serve four-year terms.
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> **Subdivision 4 (Organization and meetings)** This subdivision establishes a procedure for selecting an advisory council chair and meeting frequency. This subdivision also requires that meetings are open to the public and that there are opportunities for public input at meetings. Finally, this subdivision provides that advisory council members are not compensated for their participation in the advisory council.
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> **Subdivision 5 (Duties and powers)** This subdivision establishes certain duties and powers of the advisory council, including developing and publishing recommended schedules of vaccines for Minnesotans and recommending updates to vaccines required for enrollment in schools, child care facilities, and post-secondary institutions. The advisory council is required to consider current peer-reviewed science and sound public policy when developing such recommendations. This subdivision also permits the advisory council to vote to override an existing state vaccines schedules and republish the advisory council's own recommendations if the advisory council determines that the commissioner did not adequately consider the advisory council's recommendations when developing its vaccine schedules.
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> **Subdivision 6 (Administration)** This subdivision requires the commissioner to provide meeting space and administrative services for the advisory council.

**Subdivision 7 (Reports)** This subdivision requires the advisory council to submit a report every two years to legislative committees with jurisdiction over health policy describing the council's work.

**Subdivision 8 (Expiration)** This subdivision provides that the advisory council expires on July 1, 2027.

**Section 5 (Minnesota Science-Based Advisory Council; First Appointments and First Meeting)** This section establishes that the first members appointed to the advisory committee serve two-year terms, and that the commissioner must convene the first council meeting by January 1, 2027.

**Section 6 (Appropriation; Minnesota Science-Based Vaccine Advisory Council)** This section provides a blank appropriation from the general fund to the commissioner of health for the advisory council.