

06-01-A

**GOVERNOR'S EXECUTIVE COUNCIL EXTENDS MEDICARE PART D
ORDER FOR 30 DAYS -- January 18, 2006**

WHEREAS, beginning January 1, 2006, the federal government took over responsibility for the prescription drug coverage for dual eligible beneficiaries consistent with the Medicare Modernization Act of 2003; and

WHEREAS, there are approximately 100,000 Minnesotans who are dually eligible for Medicare and Minnesota Medical Assistance benefits ("dual eligible beneficiaries"); and

WHEREAS, dual eligible beneficiaries are low income and disabled individuals who qualify under the law for prescription drug benefits with low or no premiums, deductibles and co-payments; and

WHEREAS, during the transition to the new Medicare prescription drug benefit, many dual eligible beneficiaries have experienced barriers to obtaining prescription drug coverage due to malfunctions, problems and failures in the computer systems designed by the federal government; and

WHEREAS, the technological failures and malfunctions in the federal system has resulted in dual eligible beneficiaries, who cannot otherwise obtain their prescription medicines, being denied access to needed medicines and endanger the life, health and well-being of these individuals; and

WHEREAS, the Minnesota Department of Human Services has made every effort to mitigate the impact of the transition upon dual eligible beneficiaries, has supplied the Medicare program with accurate enrollment data for the dual eligible beneficiaries transitioning to Medicare, assisted thousands of beneficiaries and pharmacists confused about inconsistencies in the federal computer system and coordinated data with federal agencies to resolve beneficiary problems; despite these efforts, an unacceptable number of eligible beneficiaries are still not receiving their needed prescriptions; and

WHEREAS, efforts by the federal government to correct the systems failures in a timely manner have not been successful.

WHEREAS, the need for the State of Minnesota to assist in ensuring that dual eligible beneficiaries continue to have access to their prescription medicines during this federal transition period will continue for more than 5 days and it is, therefore, necessary for the Executive Council to extend the state of emergency pursuant to the provisions of Minnesota Statutes 2005, Section 12.31, Subdivision 2.

RESOLVED, by the Executive Council of the State of Minnesota, at its meeting on January 18, 2006, that it extends the state of emergency for 30 days pursuant to Minnesota Statutes 2005, Section 12.31, subdivision 2.