



## Access to 340B Drug Discount Program

### SB 3727 – Senator Ann Gillespie

The 340B Drug Pricing Program is essential to many healthcare facilities' ability to provide services, including access to medications for uninsured and underinsured patients.

Recent actions by drug manufacturers have undermined the 340B program and jeopardized the patient care services the program supports. Most notably, drug manufacturers have refused to provide discounts to safety-net hospitals in accordance with the 340B statute. SB 3727 would prohibit drug manufacturers from limiting access to 340B drug discounts for healthcare facilities, contract pharmacies, and patients.

### SB 3727:

- Creates the Patient Access to Pharmacy Protection Act.
- No person, including a pharmaceutical manufacturer, may deny, restrict, prohibit, condition, or otherwise interfere with, either directly or indirectly, the acquisition of a 340B drug by, or delivery of a 340B drug to, a 340B covered entity or a 340B contract pharmacy authorized to receive 340B drugs on behalf of the 340B covered entity unless such receipt is prohibited by federal law.
- No person, including a pharmaceutical manufacturer, may impose any restriction on the ability of a 340B covered entity to contract with or designate a 340B contract pharmacy including restrictions relating to the number, location, ownership, or type of 340B contract pharmacy.
- No person, including a pharmaceutical manufacturer, may require or compel a 340B covered entity or 340B contract pharmacy to:
  - (1) submit or otherwise provide ingredient cost or pricing data pertinent to 340B drugs;
  - (2) institute requirements in any way relating to how a 340B covered entity manages its inventory of 340B drugs that are not required by a state or federal agency, including requirements relating to the frequency or scope of audits of inventory management systems of a 340B covered entity or a 340B contract pharmacy;
  - (3) require a 340B covered entity or its 340B contract pharmacy to submit or otherwise provide data or information that is not required by State or federal law.

**Vote Yes for SB 3727!**