

HB 1977 -- 340B PROTECTION

SPONSOR: Stinnett

This bill prevents health carriers, pharmacy benefits managers, or agents thereof from discriminating against a covered entity or a specified pharmacy by doing any of the following:

- (1) Reimbursing a covered entity or specified pharmacy for a quantity of a 340B drug in an amount less than it would pay to a similarly situated pharmacy, on the basis that is specified in the bill;
- (2) Imposing terms or conditions on covered entities or specified pharmacies that differ from terms and conditions applied to other similarly situated specified pharmacies or entities that are not covered entities, as specified in the bill;
- (3) Interfering with a person's choice to receive a 340B drug from a covered entity or specified pharmacy;
- (4) Requiring a covered entity or specified pharmacy to identify 340B drugs; or
- (5) Refusing to contract with a covered entity or pharmacy for reasons other than those that apply equally to entities that are not covered entities or similarly situated pharmacies, as specified in the bill.

The Director of the Department of Commerce and Insurance shall impose a civil penalty on any health carrier, pharmacy benefits manager, or agent thereof that violates the above. The penalty shall not exceed a rate of \$5000 per day.

This bill is similar to HB 1330 and HCS HB 197 (2023).