

On page 4, line 5, of the Senate Health and Human Services Engrossed bill, after "Medicaid;" insert " and"

On page 4, line 13, of the Senate Health and Human Services Engrossed bill, after "secrecy" delete "; and

(18) "340B entity," an entity participating in the federal drug discount program, as described in section 340B of the Public Health Service Act, 42 U. S. C. § 256b, as of January 1, 2022"

On page 7, line 14, of the Senate Health and Human Services Engrossed bill, after "product." delete "Section 11. That chapter 58-29E be amended with a NEW SECTION:

"

On page 7, line 15, of the Senate Health and Human Services Engrossed bill, after "SECTION:" delete "A pharmacy benefit manager may not:

(1) Take any action that prevents a 340B entity from dispensing drugs purchased under section 340B of the Public Health Service Act, 42 U. S. C. § 256b, as of January 1, 2022, to patients of the 340B entity;

(2) Refuse to contract with a 340B entity or impose on a 340B entity any contracting standards that differ from those imposed on a non-340B entity;

(3) By contract, provider manual, or any other means:

(a) Modify the definition of a pharmacy, as set forth in chapter 36-11;

(b) Provide a lower reimbursement for a drug purchased under section 340B than that provided for the same drug if purchased by a non-340B entity pharmacy in the same class of trade;

(c) Impose, on a 340B entity, any fee, chargeback, financial or other adjustment, or claims-related information, which is not imposed, in the same manner, on a non-340B entity;

(d) Prevent or otherwise interfere with the ability of covered individuals to receive drugs from a 340B entity of the individual's choice, including through mail order pharmacy services; or

(e) Require or compel the submission of ingredient costs, pricing data, or any other data pertaining to drugs purchased under section 340B."