

HB1274/913622/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1274
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**and Purchasers**”; in line 5, strike “and purchasers”; and in line 7, strike “, purchasers,”.

AMENDMENT NO. 2

On page 1, in line 18, before “**IN**” insert “**(1)**”; in the same line, strike the comma and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(2) “COVERED ENTITY” HAS THE MEANING STATED IN § 602 OF THE FEDERAL VETERANS HEALTH CARE ACT OF 1992.

(3) “PHARMACIES OR PHARMACISTS THAT PARTICIPATE IN THE 340B PROGRAM” MEANS:

(I) A PHARMACY OWNED OR OPERATED BY A COVERED ENTITY THAT IS ELIGIBLE TO OR IS ACTIVELY PARTICIPATING IN THE 340B PROGRAM; OR

(II) A PHARMACY OR PHARMACIST UNDER CONTRACT WITH A COVERED ENTITY TO DISPENSE DRUGS PURCHASED UNDER THE 340B PROGRAM TO PATIENTS OF THE COVERED ENTITY.

(4)”;

and strike in their entirety lines 21 through 24, inclusive.

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On page 2, in lines 1 and 9, strike “(C)” and “(D)”, respectively, and substitute “(B)” and “(C)”, respectively; in the same lines, in each instance, strike “OR A PURCHASER”; in lines 4 and 5, strike “OR PURCHASER”; in line 6, after “ANY” insert “IN-NETWORK”; in line 12, strike “OR PURCHASER”; in line 21, strike “PURCHASER’S”; in the same line, after “NETWORK” insert “ON THE SOLE BASIS THAT THE PHARMACY OR PHARMACIST PARTICIPATES IN THE 340B PROGRAM”; strike in their entirety lines 22 through 29, inclusive; in line 30, strike “(7)” and substitute “(5)”; in line 30, after “DIFFERENT” insert “REIMBURSEMENT OR NETWORK PARTICIPATION”; and in line 31, strike “OR”.

On page 3, in line 1, strike “PURCHASER’S”; strike in their entirety lines 3 through 11, inclusive, and substitute:

“(6) IMPOSE DIFFERENT FEES, CHARGEBACKS, OR OTHER ADJUSTMENTS ON PHARMACIES OR PHARMACISTS BASED ON WHETHER A PHARMACY OR PHARMACIST PARTICIPATES IN THE 340B PROGRAM;”;

in lines 12, 14, and 17, strike “(10)”, “(11)”, and “(12)”, respectively, and substitute “(7)”, “(8)”, and “(9)”, respectively; in lines 17 and 18, in each instance, strike “AN” and substitute “A COVERED”; in line 20, strike “OR PURCHASER’S”; in line 21, after the first “THE” insert “COVERED”; in line 22, strike “(E)” and substitute “(D)”; in the same line, strike “OR PURCHASER”; in the same line, strike “A”; and strike in their entirety lines 28 through 32, inclusive.