
DIGEST

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HB 548 Engrossed

2023 Regular Session

Turner

Abstract: Prohibits discriminatory practices that directly or indirectly limit the monetary benefit that entities participating in the federal 340B Drug Pricing Program receive as result of dispensing drugs discounted by the program.

Proposed law creates the "Defending Affordable Prescription Drug Costs" Act.

Proposed law provides for definitions for certain terms including "340B drug" and "340B entity".

Proposed law prohibits practices by a health insurance issuer, pharmacy benefit manger, or other third-party payor that would limit or impose conditions that would indirectly lower the amount of reimbursement for a drug discounted according to the federal 340B drug pricing program that was dispensed by an entity participating in the 340B drug pricing program.

Proposed law prohibits actions by a manufacturer or distributor that would deny, restrict, prohibit, or otherwise interfere with the acquisition of a 340B discounted drug to a pharmacy that is under contract with a healthcare facility that participates in the 340B drug discount program.

Proposed law provides that the commission of any act prohibited by proposed law constitutes a violation Unfair Trade Practices and Consumer Protection Law.

Proposed law provides that nothing in proposed law will be less restrictive than or construed to conflict with federal law.

(Adds R.S. 40:2881-2886)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Remove any reference to the creation of a private cause of action when a 340B entity is discriminated against by a health insurance issuer, pharmacy benefit manager, or third-party payor.
2. Make technical changes.