

House File 2009 - Introduced

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BY BARKER

A BILL FOR

1 An Act relating to manufacturers and distributors of 340B drugs.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 510D.1, Code 2026, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 01. "340B drug" means a covered outpatient
4 drug for which a manufacturer has offered a reduced price
5 pursuant to 42 U.S.C. §256b, and that is purchased by a covered
6 entity.

7 NEW SUBSECTION. 4A. "Distributor" means a person, other
8 than a manufacturer, engaged in the wholesale distribution of
9 a prescription drug to a retail community pharmacy, including
10 but not limited to repackers, jobbers, brokers, warehouses,
11 independent wholesale drug traders, and retail community
12 pharmacies that conduct wholesale distributions.

13 NEW SUBSECTION. 5A. "Manufacturer" means the same as defined
14 in section 1927(k)(5) of the federal Social Security Act.

15 Sec. 2. Section 510D.2, Code 2026, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 4. A manufacturer or distributor shall not,
18 either directly or indirectly, deny, restrict, or otherwise
19 interfere with the acquisition of a 340B drug by a covered
20 entity, or delivery of a 340B drug to a contract pharmacy, unless
21 such purchase or receipt is prohibited by the United States
22 department of health and human services.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 This bill relates to manufacturers and distributors of 340B
27 drugs.

28 "340B drug", "manufacturer", and "distributor" are defined in
29 the bill. The bill prohibits a manufacturer or distributor from,
30 directly or indirectly, denying, restricting, or interfering with
31 the acquisition of a 340B drug by a covered entity, or the
32 delivery of a 340B drug to a contract pharmacy, unless otherwise
33 prohibited by the United States department of health and human
34 services.