

State Laws Prohibiting Discriminatory Reimbursement (2019)					
	West Virginia* <a href="#">SB 489</a>	Minnesota <a href="#">SF278</a>	Montana <a href="#">SB 335</a>	Oregon <a href="#">HB 2185</a>	South Dakota <a href="#">HB 1137</a>
Enacted into law	Feb. 26, 2019	July 26, 2019	April 30, 2019	July 15, 2019	March 7, 2019
General 340B nondiscrimination provision	✓	✓	✓	✓	✓
Protects all types of 340B safety net providers from discriminatory arrangements	✓	✓	✓	✓	✓
Prohibits discriminatory arrangements by PBMs and third party payors	✓	✗ (Exempts managed care contracts)	✓	✗ (Prohibits only PBMs from such practices)	✗ (Prohibits only PBMs from such practices)
Specifically prohibits charge-backs or other adjustments based on 340B eligibility	✓	✗	✗	✗	✗
Prohibits discrimination that interferes with the patient's choice to receive drugs from a 340B entity	✓	✗	✗	✗	✗
Applicable to contract pharmacy arrangements	✓	✓	✓	✗	✓
*West Virginia enacted a second law on April 9, 2021 ( <a href="#">HB 2263</a> ) providing additional protections, including prohibiting blocking 340B pharmacies from preferred networks.					

State Laws Prohibiting Discriminatory Reimbursement (2020)			
	Utah <a href="#">SB 138</a>	Georgia <a href="#">HB 946</a>	Ohio <a href="#">SB 263</a>
Enacted into law	March 28, 2020	July 2, 2020	December 17, 2020
General 340B nondiscrimination provision	✓	✓	✓
Protects all types of 340B safety net providers from discriminatory arrangements	✓	✓	✓
Prohibits discriminatory arrangements by PBMs and third party payors	✗	✗ (Prohibits only PBMs from such practices)	✓
Specifically prohibits charge-backs or other adjustments based on 340B eligibility	✓	✓	✗
Prohibits discrimination that interferes with the patient's choice to receive drugs from a 340B entity	✓	✗	✓
Applicable to contract pharmacy arrangements	✓	✓	✓

State Laws Prohibiting Discriminatory Reimbursement (2021)				
	North Dakota <a href="#">HB 1492</a>	Indiana <a href="#">HB 1405</a>	Alabama <a href="#">SB 227</a>	Arkansas <a href="#">HB 1881</a>
Enacted into law	April 22, 2021	April 29, 2021	April 29, 2021	May 3, 2021
General 340B nondiscrimination provision	✓	✓	✓	✓
Protects all types of 340B safety net providers from discriminatory arrangements	✓	✓	✓	✓
Prohibits discriminatory arrangements by PBMs and third party payors	X (Prohibits only PBMs from such practices)	X (Prohibits only PBMs from such practices)	X (Prohibits only PBMs from such practices)	✓
Specifically prohibits charge-backs or other adjustments based on 340B eligibility	✓	✓	✓	✓
Prohibits discrimination that interferes with the patient's choice to receive drugs from a 340B entity	X	✓	✓	✓
Requires drug manufacturers to provide 340B prices for drugs purchased by covered entities and dispensed at contract pharmacies*	X	X	X	✓
Applicable to contract pharmacy arrangements	✓	✓	✓	✓
*This category was added for 2021 in response to actions by drug manufacturers to restrict access to 340B prices at contract pharmacies.				

<b>State Laws Prohibiting Discriminatory Reimbursement (2021)</b>				
	<b>Montana</b> <a href="#"><u>SB 395</u></a>	<b>Tennessee</b> <a href="#"><u>SB 1617/HB 1398</u></a>	<b>Vermont</b> <a href="#"><u>HB 439</u></a>	<b>North Carolina</b> <a href="#"><u>SB 257</u></a>
Enacted into law	May 12, 2021	May 26, 2021	June 8, 2021	September 20, 2021
General 340B nondiscrimination provision	✓	✓	✓	✓
Protects all types of 340B safety net providers from discriminatory arrangements	✓	✓	✓	X
Prohibits discriminatory arrangements by PBMs and third party payors	✓	✓	X (Prohibits only PBMs from such practices)	X (Prohibits only PBMs from such practices)
Specifically prohibits charge-backs or other adjustments based on 340B eligibility	X	✓	X	✓
Prohibits discrimination that interferes with the patient's choice to receive drugs from a 340B entity	✓	✓	X	✓
Requires drug manufacturers to provide 340B prices for drugs purchased by covered entities and dispensed at contract pharmacies*	X	X	X	X
Applicable to contract pharmacy arrangements	✓	✓	✓	✓

\*This category was added for 2021 in response to actions by drug manufacturers to restrict access to 340B prices at contract pharmacies.