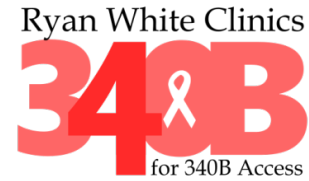


State Laws Prohibiting Discriminatory Reimbursement (2019)					
	West Virginia* SB 489	Minnesota SF278	Montana SB 335	Oregon HB 2185	South Dakota HB 1137
Enacted into law	Feb. 26, 2019	July 26, 2019	April 30, 2019	July 15, 2019	March 7, 2019
General 340B nondiscrimination provision	✓	✓	✓	✓	✓
Protects 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 (HB 2263) providing additional protections, including prohibiting blocking 340B pharmacies from preferred networks.					

State Laws Prohibiting Discriminatory Reimbursement (2020)				
	Kentucky SB 50	Utah SB 138	Georgia HB 946	Ohio SB 263
Enacted into law	March 27, 2020	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	✓ (KY uses a state-appointed PBM that displaced all MCO-contracted PBMs)	✗	✗ (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	✗	✓	✓	✓

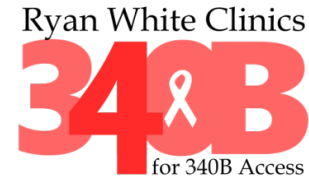
State Laws Prohibiting Discriminatory Reimbursement (2021)				
	North Dakota HB 1492	Indiana HB 1405	Alabama SB 227	Arkansas HB 1881
Enacted into law	April 22, 2021	April 29, 2021	April 29, 2021	May 3, 2021
General 340B nondiscrimination provision	✓	✓	✓	✓
Protects all types of 340B safety net providers 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.				

State Laws Prohibiting Discriminatory Reimbursement (2021)				
	Montana <u>SB 395</u>	Tennessee <u>SB 1617/HB 1398</u>	Vermont <u>HB 439</u>	North Carolina <u>SB 257</u>
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.				



State Laws Prohibiting Discriminatory Reimbursement (2022)

	Michigan HB 4348	Michigan HB 4351	Michigan HB 4352	Nebraska LB767
Enacted into law	Feb. 23, 2022			March 16, 2022
General 340B nondiscrimination provision/ PBM network provision	✓	✓ (Also prohibits use of a modifier to identify 340B claims, except as required by law)	✗	✗
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	✗	✗	✓ (Prohibits a pharmacist from entering into a discriminatory contract with a PBM)	✓
Requires drug manufacturers to provide 340B prices for drugs purchased by covered entities and dispensed at contract pharmacies	✗	✗	✗	✗
Applicable to contract pharmacy arrangements	✓	✓	✓	✓



State Laws Prohibiting Discriminatory Reimbursement (2022)					
	Virginia HB 4348	Illinois HB4595	Maryland HB 1274	Colorado HB 22-1122	Arizona SB1176
Enacted into law	April 11, 2022	May 13, 2022	May 16, 2022	June 2, 2022	June 13, 2022
General 340B nondiscrimination provision/ PBM network provision	✓	✓	✓	✓	✓
Protects all types of 340B safety net providers from discriminatory arrangements	X (Applies to non-hospital covered entities)	✓	✓	✓	✓
Prohibits discriminatory arrangements by PBMs and third party payors	✓	✓	X (Prohibits only PBMs from such practices)	✓	✓
Specifically prohibits charge-backs or other adjustments based on 340B eligibility	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	X
Applicable to contract pharmacy arrangements	✓	✓	✓	✓	✓