

**Medication Amendments**  
2025 GENERAL SESSION  
STATE OF UTAH

**Chief Sponsor: Evan J. Vickers**

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**LONG TITLE**

**General Description:**

This bill addresses the acquisition of certain drugs by pharmaceutical entities.

**Highlighted Provisions:**

This bill:

- defines terms, including "340B drug" and "pharmaceutical entity"; and
- bans interfering with a pharmaceutical entity's acquisition of a 340B drug.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**31A-46-311**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **31A-46-311** is enacted to read:

**31A-46-311 . Prohibited actions with respect to a pharmaceutical entity.**

(1) As used in this section,

(a) "340B entity" means an entity authorized to participate in the federal 340B drug discount program, as described in 42 U.S.C. Sec. 256b(a)(4).

(b) "Manufacturer" means the same as that term is defined in Section 1927(k) of the Social Security Act.

(c) "Pharmaceutical entity" means a:

(i) pharmaceutical manufacturer;

(ii) a person involved in the distribution of a pharmaceutical manufacturer's products, including a distributor or a third-party logistics provider; or

(iii) an agent or affiliate of a person described in Subsection (1)(a) or (1)(b).

(2) A pharmaceutical entity may not directly or indirectly restrict or prohibit:

- 32        (a) a pharmacy from contracting with a 340B entity, including by denying the pharmacy  
33            access to a drug that is manufactured by the pharmaceutical entity;
- 34        (b) a 340B entity from contracting with a pharmacy, including by denying the 340B  
35            entity access to a drug that is manufactured by the pharmaceutical entity;
- 36        (c) the acquisition, dispensing, or delivery of a 340B drug to any location authorized by  
37            a 340B entity to receive the drug, unless prohibited by federal law; or
- 38        (d) a 340B entity from receiving a 340B drug discount program pricing for a 340B drug,  
39            including by imposing a time limitation on a 340B entity to replenish or submit a  
40            claim for a 340B drug.
- 41    (3) A pharmaceutical entity may not directly or indirectly:
- 42        (a) require a 340B entity to purchase a 340B drug from a certain supplier if the  
43            pharmaceutical entity would otherwise permit the 340B entity to purchase a drug that  
44            is not a 340B drug from the supplier;
- 45        (b) require a 340B entity to submit any claim data, utilization data, or information about  
46            a 340B entity's contracts with a third-party as a condition for allowing the acquisition  
47            of a 340B drug by, or delivery of a 340B drug to, a 340B entity, unless the data or  
48            information sharing is required by federal law; or
- 49        (c) otherwise interfere with:
- 50            (i) a contract between a pharmacy and a 340B entity; or  
51            (ii) the ability of a pharmacy and a 340B entity to enter into a contract.
- 52    (4) Nothing in this section is to be construed to conflict with federal law.

53        **Section 2. Effective Date.**

54        This bill takes effect on May 7, 2025.