

Evan J. Vickers proposes the following substitute bill:

**Medication Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Evan J. Vickers**

House Sponsor:

2

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses interference of pharmacy participation in a federal drug discount  
6 program.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ defines terms; and  
10 ▶ prohibits interfering with a pharmacy's ability to acquire or dispense certain drugs under a  
11 federal discount program.

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 None

16 **Utah Code Sections Affected:**

17 ENACTS:

18 **31A-46-311**, Utah Code Annotated 1953

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

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

22 **31A-46-311 . Protection of pharmacy discount drug market.**

23 (1) As used in this section:

- 24 (a) "340B drug" means a drug that a 340B entity may purchase at a reduced price  
25 pursuant to the 340B drug discount program.  
26 (b) "340B drug discount program" means the federal program limiting drug prices for  
27 covered entities, as described in 42 U.S.C. Sec. 256b et seq.  
28 (c) "340B entity" means an entity authorized to participate in the 340B drug discount  
29 program.

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

61 Section 2. **Effective Date.**

62 This bill takes effect on May 7, 2025.