

**AMENDMENT**

**OFFERED BY M**     .

Add at the end of the bill the following (and update the table of contents accordingly):

1       **TITLE VI—MISCELLANEOUS**

2       **SEC. 601. REQUIREMENT FOR CERTAIN COVERED ENTITIES**

3                   **PASS THROUGH SAVINGS FROM 340B DRUG**

4                   **DISCOUNT PROGRAM TO PATIENTS.**

5       (a) IN GENERAL.—Section 340B(a)(5) of the Public  
6 Health Service Act (42 U.S.C. 256b(a)(5)) is amended by  
7 adding at the end the following new subparagraph:

8                   “(E) PASS-THROUGH OF SAVINGS.—

9                   “(i) IN GENERAL.—A hospital that is  
10 a covered entity described in subparagraph  
11 (L), (M), (N), or (O) of paragraph (4)  
12 shall, with respect to a covered outpatient  
13 drug subject to an agreement under this  
14 section that is purchased on or after the  
15 date that is 180 days after the date of the  
16 enactment of this subparagraph, pass  
17 through the savings amount determined  
18 under clause (ii) with respect to such drug  
19 to the patient receiving such drug.

1                   “(ii) SAVINGS AMOUNT.—The savings  
2                   amount determined under this clause, with  
3                   respect to a covered outpatient drug sub-  
4                   ject to an agreement under this section, is  
5                   the amount equal to 75 percent of the re-  
6                   duction in the price of the drug provided  
7                   under such agreement.”.

8                   (b) REQUIREMENT FOR COST-SHARING FOR 340B  
9                   DRUGS TO BE BASED ON 340B PRICE.—

10                   (1) IN GENERAL.—Subpart II of part A of title  
11                   XXVII of the Public Health Service Act (42 U.S.C.  
12                   300gg–11 et seq.) is amended by adding at the end  
13                   the following new section:

14                   **“SEC. 2729A. COST-SHARING FOR DRUGS PURCHASED**  
15                   **UNDER 340B DRUG DISCOUNT PROGRAM.**

16                   “‘If a group health plan or a health insurance issuer  
17                   offering group or individual health insurance coverage pro-  
18                   vides or covers any benefits for a covered outpatient drug  
19                   (as defined in section 1927(k) of the Social Security Act)  
20                   subject to an agreement under section 340B and an en-  
21                   rollee of such plan or coverage is furnished such drug,  
22                   then such plan or issuer shall calculate the cost-sharing  
23                   requirement for an enrollee of such plan or coverage for  
24                   such drug as if the total amount charged for such drug

1 was the amount paid for such drug under an agreement  
2 under the drug discount program under section 340B.”.

3 (2) EFFECTIVE DATE.—The amendment made  
4 by paragraph (1) shall apply with respect to plan  
5 years beginning on or after the date that is 180 days  
6 after the date of the enactment of this Act.

7 **SEC. 602. SENSE OF CONGRESS RELATING TO 340B DRUG**  
8 **DISCOUNT PROGRAM.**

9 It is the sense of Congress that the purpose of the  
10 drug discount program under section 340B of the Public  
11 Health Service Act (42 U.S.C. 256b) is to lower out-of-  
12 pocket drugs costs for low-income and uninsured individ-  
13 uals.

