

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 136

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO 340B DRUG PRICING PROGRAM REPORTING; AMENDING CHAPTER 3, TITLE
2 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-351, IDAHO CODE, TO
3 ESTABLISH PROVISIONS REGARDING 340B DRUG PRICING PROGRAM REPORTING;
4 AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 3, Title 41, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 41-351, Idaho Code, and to read as follows:

10 41-351. 340B DRUG PRICING PROGRAM REPORTING. (1) As used in this sec-
11 tion, "340B covered entity" means an entity authorized to participate in the
12 federal 340B drug pricing program under section 340B(a)(4) of the federal
13 public health service act and includes any pharmacy under contract with the
14 entity to dispense drugs on behalf of the entity.

15 (2) Before April 1 of each year, a 340B covered entity shall report the
16 following information to the state department of health and welfare, the
17 state controller's office, and the attorney general concerning the 340B cov-
18 ered entity's participation in the federal 340B drug pricing program for the
19 previous calendar year:

20 (a) The name of the covered 340B entity;

21 (b) The aggregate acquisition cost for prescription drugs obtained un-
22 der the 340B program;

23 (c) The aggregate payment amount received for drugs obtained under the
24 340B program and dispensed to patients;

25 (d) The aggregate payment made to pharmacies under contract to dispense
26 drugs obtained under the 340B program;

27 (e) The number of claims for prescription drugs described in paragraph
28 (c) of this subsection; and

29 (f) How the 340B covered entity uses any savings from participating in
30 the 340B program, including the amount of savings used for the provision
31 of charity care, community benefits, or a similar program of providing
32 unreimbursed health care to the indigent.

33 (3) The information required to be reported pursuant to subsection (2)
34 of this section shall be reported by payer type, including the following:

35 (a) Commercial;

36 (b) Medicaid; and

37 (c) Medicare.

38 (4) The data submitted in the reports required pursuant to subsection
39 (2) of this section is confidential and shall not be made available for pub-
40 lic inspection.

1 (5) Before November 15 of each year, the state controller's office
2 shall prepare a report that aggregates the data submitted pursuant to sub-
3 section (2) of this section and:

4 (a) Submit the report to the legislative council in an electronic for-
5 mat; and

6 (b) Make such report available on the transparent Idaho website.

7 (6) The attorney general may use the information in the reports re-
8 quired pursuant to subsection (2) of this section for the purposes of
9 investigating medicaid fraud and ensuring compliance with health resources
10 and service administration requirements.

11 SECTION 2. An emergency existing therefor, which emergency is hereby
12 declared to exist, this act shall be in full force and effect on and after
13 July 1, 2025.