

HR 2534

PROTECT 340B Act of 2023

Congress: 118 (2023–2025, Ended)

Chamber: House

Policy Area: Health

Introduced: Apr 6, 2023

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Dec 17, 2024)

Official Text: <https://www.congress.gov/bill/118th-congress/house-bill/2534>

Sponsor

Name: Rep. Spanberger, Abigail Davis [D-VA-7]

Party: Democratic • **State:** VA • **Chamber:** House

Cosponsors (37 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Johnson, Dusty [R-SD-At Large]	R · SD		Apr 6, 2023
Rep. Mann, Tracey [R-KS-1]	R · KS		May 2, 2023
Rep. Matsui, Doris O. [D-CA-7]	D · CA		May 2, 2023
Rep. Tlaib, Rashida [D-MI-12]	D · MI		May 2, 2023
Rep. Wittman, Robert J. [R-VA-1]	R · VA		May 2, 2023
Rep. Crow, Jason [D-CO-6]	D · CO		May 9, 2023
Rep. Ruppersberger, C. A. Dutch [D-MD-2]	D · MD		May 9, 2023
Rep. Slotkin, Elissa [D-MI-7]	D · MI		Jun 16, 2023
Rep. Wild, Susan [D-PA-7]	D · PA		Jun 16, 2023
Rep. Graves, Sam [R-MO-6]	R · MO		Jul 6, 2023
Rep. Pocan, Mark [D-WI-2]	D · WI		Aug 4, 2023
Rep. Allred, Colin Z. [D-TX-32]	D · TX		Aug 18, 2023
Rep. Bice, Stephanie I. [R-OK-5]	R · OK		Aug 25, 2023
Rep. Kildee, Daniel T. [D-MI-8]	D · MI		Sep 1, 2023
Rep. Thanedar, Shri [D-MI-13]	D · MI		Sep 1, 2023
Rep. DeGette, Diana [D-CO-1]	D · CO		Sep 5, 2023
Rep. Blunt Rochester, Lisa [D-DE-At Large]	D · DE		Oct 17, 2023
Rep. Bonamici, Suzanne [D-OR-1]	D · OR		Oct 17, 2023
Rep. Frankel, Lois [D-FL-22]	D · FL		Oct 17, 2023
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Oct 18, 2023
Rep. Correa, J. Luis [D-CA-46]	D · CA		Oct 18, 2023
Rep. Castor, Kathy [D-FL-14]	D · FL		Oct 19, 2023
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		Oct 19, 2023
Rep. Neguse, Joe [D-CO-2]	D · CO		Oct 19, 2023
Rep. Quigley, Mike [D-IL-5]	D · IL		Oct 24, 2023
Rep. Manning, Kathy E. [D-NC-6]	D · NC		Oct 25, 2023
Rep. Goldman, Daniel S. [D-NY-10]	D · NY		Oct 26, 2023
Rep. Wexton, Jennifer [D-VA-10]	D · VA		Oct 26, 2023
Rep. Cleaver, Emanuel [D-MO-5]	D · MO		Nov 1, 2023
Rep. Stanton, Greg [D-AZ-4]	D · AZ		Nov 6, 2023
Rep. Pingree, Chellie [D-ME-1]	D · ME		Dec 13, 2023
Rep. Sorensen, Eric [D-IL-17]	D · IL		Dec 13, 2023
Rep. Waters, Maxine [D-CA-43]	D · CA		Dec 13, 2023
Rep. Davids, Sharice [D-KS-3]	D · KS		Jan 11, 2024
Rep. Lynch, Stephen F. [D-MA-8]	D · MA		Apr 9, 2024
Rep. Mrvan, Frank J. [D-IN-1]	D · IN		Sep 3, 2024
Rep. Moulton, Seth [D-MA-6]	D · MA		Sep 19, 2024

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Apr 14, 2023
Ways and Means Committee	House	Referred to	Dec 17, 2024

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Summary (as of Apr 6, 2023)

Preserving Rules Ordered for The Entities Covered Through 340B Act of 2023 or the PROTECT 340B Act of 2023

This bill prohibits pharmacy benefit managers (PBMs) and health insurance plans from discriminating against health providers participating in the 340B drug pricing program, including pharmacies contracted with such providers to dispense 340B drugs. The 340B program allows certain providers to receive covered outpatient drugs at reduced prices from manufacturers.

Specifically, PBMs and insurance plans may not

- reimburse 340B participants at a lower rate than other entities not participating in the program;
- impose differing terms (such as fees, charge-backs, or audits) on 340B participants;
- interfere with an individual's choice to receive drugs from a 340B participant;
- require 340B participants to identify which drugs fall within the program; or
- refuse to contract with a 340B participant on the basis that they utilize the program.

Further, insurance plans may not deny coverage of drug because it is a 340B drug.

Violations of this bill are subject to a civil penalty of not more than \$5,000 per violation per day.

These prohibitions also apply to prescription drug (Part D) sponsors under Medicare.

The bill also provides for a process to prevent duplicate 340B drug discounts to states under Medicaid.

Actions Timeline

- **Dec 17, 2024:** Referred to the Subcommittee on Health.
- **Apr 14, 2023:** Referred to the Subcommittee on Health.
- **Apr 6, 2023:** Introduced in House
- **Apr 6, 2023:** Referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.