

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 675

By Senators Rucker, Azinger, Roberts, Rose, Thorne,
and Woelfel

[Introduced March 4, 2025; referred
to the Committee on Government Organization]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-5-37, relating to requiring a participant in a federal 340B Drug Pricing Program to report certain data to the Board of Pharmacy.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 5. PHARMACISTS, PHARMACY TECHNICIANS, PHARMACY INTERNS
AND PHARMACIES.**

§30-5-37. 340B Drug Pricing Program Reporting.

(a) As used in this section, "340B covered entity" means an entity authorized to participate in the federal 340B Drug Pricing Program under Section 340B(a)(4) of the federal Public Health Service Act (42 U.S.C. 256b(a)(4)) and includes any pharmacy under contract with the entity to dispense drugs on behalf of the entity.

(b) Before April 1 of each year, a 340B covered entity shall report the following information to the board concerning the 340B covered entity's participation in the federal 340B Drug Pricing Program for the previous calendar year:

(1) The name of the 340B covered entity.

(2) The aggregate acquisition cost for prescription drugs obtained under the 340B program.

(3) The aggregate payment amount received for drugs obtained under the 340B program and dispensed to patients.

(4) The aggregate payment made to pharmacies under contract to dispense drugs obtained under the 340B program.

(5) The number of claims for prescription drugs described in subdivision (3).

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

(7) How the patients of the 340B covered entity who qualify for reduced medications are obtaining reduced price medications.

(c) The information required to be reported under subsection (a) must be reported by payer type, including the following:

(1) Commercial.

(2) Medicaid.

(3) Medicare.

(d) The data submitted in the reports required under subsection (a) is confidential and is not available for public inspection pursuant to the provisions of §29B-1-1 et seq.

(e) Before November 15 of each year, the West Virginia Board of Pharmacy shall prepare a report that at a minimum aggregates the data submitted under subsection (a) and analyzes how the covered entity uses any savings from participating in the 340B program including how the savings are used for the provision of charity care, community benefits, or a similar program of providing unreimbursed health care to the indigent and:

(1) Submit the report to the Joint Committee of Government and Finance and the Joint Standing Committee on Insurance and PEIA; and

(2) Post the report on the West Virginia Board of Pharmacy's website.

NOTE: The purpose of this bill is to require a participant in a federal 340B Drug Pricing Program to report certain data to the Board of Pharmacy.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.