



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-4344/1  
EKL:emw

## 2021 SENATE BILL 542

September 2, 2021 - Introduced by Senators CARPENTER, ERPENBACH, AGARD, BEWLEY, JOHNSON, LARSON, PFAFF and RINGHAND, cosponsored by Representatives SUBECK, MILROY, ANDERSON, BALDEH, CABRERA, CONLEY, CONSIDINE, DOYLE, EMERSON, HEBL, HESSELBEIN, HONG, NEUBAUER, OHNSTAD, S. RODRIGUEZ, SHANKLAND, SHELTON, SINICKI, SNODGRASS, SPREITZER, STUBBS and VRUWINK. Referred to Committee on Government Operations, Legal Review and Consumer Protection.

1     **AN ACT to create** 632.869 of the statutes; **relating to:** reimbursements for  
2           certain 340B program entities.

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*Analysis by the Legislative Reference Bureau*

This bill prohibits any person from reimbursing certain entities that participate in the federal drug pricing program, known as the 340B program, for a drug subject to an agreement under the program at a rate lower than that paid for the same drug to pharmacies that are similar in prescription volume. The bill also prohibits a person from imposing any fee, charge back, or other adjustment on the basis of the entity's participation in the 340B program. The entities covered by the prohibitions under the bill are federally qualified health centers, critical access hospitals, and grantees under the federal Ryan White HIV/AIDS program, as well as these entities' pharmacies and any pharmacy with which any of the entities have contracted to dispense drugs through the 340B program.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3           **SECTION 1.** 632.869 of the statutes is created to read:  
4           **632.869 Reimbursement to federal drug pricing program participants.**  
5           (1) In this section:

