SENATE DOCKET, NO. 1715 FILED ON: 1/16/2025

SENATE . . . . . No. 845

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to protect 340B providers in the Medicaid program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Brendan P. Crighton	*Third Essex*

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SENATE . . . . . No. 845

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 845) of Brendan P. Crighton for legislation to not restrict or limit an eligible hospital's access to the discounted purchase of prescription drugs in the Medicaid program. Health Care Financing.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act to protect 340B providers in the Medicaid program.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 13L of chapter 118E of the General Laws is hereby amended by striking the section in its entirety and replacing with the following:

"The secretary of health and human services, hereinafter "the secretary", shall not restrict or limit an eligible hospital's access to the discounted purchase of prescription drugs to the full extent permitted under section 340B of the Public Health Service Act, as codified under 42 U.S.C. 256b unless the secretary provides the following not less than 180 days before the proposed effective date of the limitation or restriction: (i) notice to eligible hospitals of the proposed restriction or limitation; and (ii) a report with the joint committee on health care financing and the senate and house committees on ways and means detailing: (A) the proposed restriction or limitation; (B) the anticipated aggregate savings to the commonwealth; (C) the estimated fiscal impact of the restriction or limitation on each affected hospital; and (D) the manner in which the secretary plans to mitigate the fiscal impact, which may include measures to

maintain savings already achieved by providers under said 42 U.S.C. 256b. In addition to the foregoing, the secretary shall not take any actions, including through managed care entities as defined in section 13D ½ of this chapter, that restrict or limit reimbursement or coverage of a drug purchased under 42 U.S.C. 256b when furnished to MassHealth members, unless the specific drug subject to restriction or limitation (i) costs $100,000 or more per utilizer per year and is one of up to 25 drugs designated by the executive office for exclusion from MassHealth members, or (ii) is one of the seven GLP-1 Agonist drugs designated by the executive office that is restricted from reimbursement if purchased under 42 U.S.C. 256b effective July 1, 2024."