
HOUSE CONCURRENT RESOLUTION

URGING THE DEPARTMENT OF HEALTH TO EXPLORE AVENUES TO ENSURE CONTINUED ACCESS TO AFFORDABLE MEDICATIONS FOR THE STATE'S UNDERSERVED POPULATIONS UNDER THE 340B DRUG PRICING PROGRAM AND URGING HAWAII'S CONGRESSIONAL DELEGATION AND RELEVANT FEDERAL AGENCIES TO MONITOR PHARMACEUTICAL COMPANIES AND TAKE APPROPRIATE ACTIONS TO PROTECT THE INTEGRITY OF THE 340B DRUG PRICING PROGRAM.

1 WHEREAS, the federal 340B Drug Pricing Program (340B
2 Program) requires pharmaceutical companies to sell outpatient
3 drugs at discounted prices to covered entities, including
4 certain types of hospitals, for the pharmaceutical companies'
5 medications to be covered by Medicaid; and

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7 WHEREAS, more than two thousand six hundred hospitals were
8 participating in the 340B Program as of January 2023; and

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10 WHEREAS, to be eligible for the 340B Program, hospitals
11 must meet various criteria, which may include treating
12 disproportionate numbers of low-income Medicare and Medicaid
13 patients, as measured by each hospital's disproportionate share
14 hospital adjustment percentage; and

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16 WHEREAS, the 340B Program plays a vital role in supporting
17 access to affordable pharmaceuticals for eligible hospitals
18 serving vulnerable populations across the United States; and

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20 WHEREAS, the 340B Program enables participating hospitals
21 to stretch scarce federal resources to reach more eligible
22 patients and provide comprehensive health care services to
23 underserved communities; and

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25 WHEREAS, it is crucial to safeguard the integrity and
26 effectiveness of the 340B Program to ensure continued
27 availability of discounted medications; and

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1 WHEREAS, pharmaceutical companies have a responsibility to
2 support access to affordable medications for all patients,
3 including those served by hospitals participating in the 340B
4 Program (340B hospitals), and should refrain from engaging in
5 actions that hinder the ability of eligible hospitals to fulfill
6 their mission of providing high-quality care to underserved
7 populations; and

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9 WHEREAS, recent trends indicate that pharmaceutical
10 companies are intentionally undermining the purpose of the 340B
11 Program by imposing provisions that restrict the ability of 340B
12 hospitals to utilize contracted pharmacies for the distribution
13 of drugs under the 340B Program (340B drugs); and

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15 WHEREAS, these restrictions jeopardize the ability of 340B
16 hospitals to effectively serve their patients and create
17 unnecessary barriers to accessing affordable medications; now,
18 therefore,

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20 BE IT RESOLVED by the House of Representatives of the
21 Thirty-second Legislature of the State of Hawaii, Regular
22 Session of 2024, the Senate concurring, that the Department of
23 Health is urged to explore avenues to collaborate with 340B
24 hospitals, community pharmacies, and other stakeholders to
25 ensure the continued accessibility to affordable medications for
26 underserved populations in Hawaii; and

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28 BE IT FURTHER RESOLVED that the Department of Health is
29 urged to work with pharmaceutical companies to ensure that the
30 companies uphold their commitment to patient access to
31 affordable pharmaceuticals by refraining from implementing
32 restrictions that undermine the ability of 340B hospitals to
33 serve their patients and communities; and

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35 BE IT FURTHER RESOLVED that the Hawaii congressional
36 delegation and relevant federal agencies are urged to monitor
37 and address any instances of pharmaceutical company actions that
38 restrict access to 340B drugs and to take appropriate
39 legislative or regulatory action to protect the integrity of the
40 340B Program; and

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1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Director of Health,
3 Hawaii's congressional delegation, and Administrator of the
4 Health Resources and Services Administration.
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OFFERED BY:

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