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# HOUSE RESOLUTION

URGING THE GOVERNOR, DEPARTMENT OF HUMAN SERVICES, AND 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 and federally qualified health  
5 centers (FQHCs), for the pharmaceutical companies' medications  
6 to be covered by Medicaid; and  
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8           WHEREAS, more than two thousand six hundred hospitals were  
9 participating in the 340B Program as of January 2023; and  
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11           WHEREAS, to be eligible for the 340B Program, hospitals  
12 must meet various criteria, which may include treating  
13 disproportionate numbers of low-income Medicare and Medicaid  
14 patients, as measured by each hospital disproportionate share  
15 hospital adjustment percentage; and  
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17           WHEREAS, the 340B Program plays a vital role in supporting  
18 access to affordable pharmaceuticals for eligible hospitals and  
19 FQHCs serving vulnerable populations across the United States;  
20 and  
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22           WHEREAS, the 340B Program enables participating hospitals  
23 and FQHCs to stretch scarce federal resources to reach more  
24 eligible patients and provide comprehensive health care services  
25 to underserved communities; and  
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1 WHEREAS, it is crucial to safeguard the integrity and  
2 effectiveness of the 340B Program to ensure continued  
3 availability of discounted medications; and  
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5 WHEREAS, pharmaceutical companies have a responsibility to  
6 support access to affordable medications for all patients,  
7 including those served by hospitals and FQHCs participating in  
8 the 340B Program (340B hospitals and FQHCs), and should refrain  
9 from engaging in actions that hinder the ability of eligible  
10 hospitals and FQHCs to fulfill their mission of providing high-  
11 quality care to underserved populations; and  
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13 WHEREAS, recent trends indicate that pharmaceutical  
14 companies are intentionally undermining the purpose of the 340B  
15 Program by imposing provisions that restrict the ability of 340B  
16 hospitals and FQHCs to utilize contracted pharmacies for the  
17 distribution of drugs under the 340B Program (340B drugs); and  
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19 WHEREAS, these restrictions jeopardize the ability of 340B  
20 hospitals and FQHCs to effectively serve their patients and  
21 create unnecessary barriers to accessing affordable medications;  
22 now, therefore,  
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24 BE IT RESOLVED by the House of Representatives of the  
25 Thirty-second Legislature of the State of Hawaii, Regular  
26 Session of 2024, that the Governor, Department of Human  
27 Services, and Department of Health is urged to explore avenues  
28 to collaborate with 340B hospitals and FQHCs, community  
29 pharmacies, and other stakeholders to ensure the continued  
30 accessibility to affordable medications for underserved  
31 populations in Hawaii; and  
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33 BE IT FURTHER RESOLVED that the Governor, Department of  
34 Human Services, and Department of Health is urged to work with  
35 pharmaceutical companies to ensure that the companies uphold  
36 their commitment to patient access to affordable pharmaceuticals  
37 by refraining from implementing restrictions that undermine the  
38 ability of 340B hospitals and FQHCs to serve their patients and  
39 communities; and  
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41 BE IT FURTHER RESOLVED that the Hawaii congressional  
42 delegation and relevant federal agencies are urged to monitor



1 and address any instances of pharmaceutical company actions that  
2 restrict access to 340B drugs and to take appropriate  
3 legislative or regulatory action to protect the integrity of the  
4 340B Program; and  
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6 BE IT FURTHER RESOLVED that certified copies of this  
7 Concurrent Resolution be transmitted to the Governor, Director  
8 of the Department of Human Services, Director of the Department  
9 of Health, Hawaii's congressional delegation, Administrator of  
10 the Health Resources and Services Administration, and the Center  
11 for Medicare and Medicaid Services.

