

HOUSE BILL NO. 5350

November 14, 2023, Introduced by Reps. Farhat, Rheingans, Byrnes, Wilson, Tsernoglou, Skaggs, Martus, Haadsma, Scott, McKinney, Brenda Carter, Miller, Conlin, Glanville, Neeley, Johnsen, Hood, Dievendorf and Whitsett and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"

(MCL 333.1101 to 333.25211) by adding section 17757c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 17757c. (1) A manufacturer shall not do any of the**
2 **following:**

3 **(a) Deny, prohibit, condition, discriminate against, refuse or**
4 **withhold 340B pricing for, or otherwise limit the dispensing,**
5 **purchase, ordering, delivery, or receipt of a drug purchased by a**

1 340B entity, including, but not limited to, a drug purchased to be
2 dispensed or administered under a contract pharmacy arrangement.

3 (b) Prohibit a pharmacy from contracting or participating with
4 a 340B entity by denying 340B pricing on, or the pharmacy's access
5 to, a drug that is manufactured by a manufacturer or based on a
6 pharmacy's relationship with a 340B entity.

7 (2) As used in this section, "340B entity" means a covered
8 entity as that term is defined in 42 USC 256b.