

STATE OF KANSAS

SENATE CHAMBER

MR. PRESIDENT:

I move to amend **Substitute for SB 514**, on page 21, following line 6, by inserting:

"(g) (1) During the fiscal year ending June 30, 2025, notwithstanding the provisions of Kansas consumer protection act, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2025 to enforce the provisions of the Kansas consumer protection act against a manufacturer that engages in the following actions:

(A) Deny, restrict, prohibit or otherwise interfere with the acquisition of a 340B drug by or delivery of a 340B drug to a pharmacy that is under contract with a 340B-covered entity and authorized under such contract to receive and dispense 340B drugs on behalf of the 340B-covered entity, unless such receipt and dispensing of 340B drugs by such pharmacy is prohibited by the United States department of health and human services; or

(B) interfere with a pharmacy that has a contract with a 340B-covered entity.

(2) As used in this subsection:

(A) "340B-covered entity" means an entity that is participating in the federal 340B drug pricing program authorized by 42 U.S.C. § 256b, including such entity's pharmacy or pharmacies, or any pharmacy or pharmacies contracted for the purpose of dispensing drugs purchased through such program;

(B) "340B drug" means a drug that has been subject to any offer for reduced prices by a

manufacturer pursuant to the federal 340B drug pricing program authorized by 42 U.S.C. § 256b and is purchased by a covered entity;

(C) "manufacturer" means the same as defined in K.S.A. 65-1626, and amendments thereto; and

(D) "pharmacy" means the same as defined in K.S.A. 65-1626, and amendments thereto.

Sec. 33.

ATTORNEY GENERAL

(a) (1) During the fiscal year ending June 30, 2026, notwithstanding the provisions of Kansas consumer protection act, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2026 by this or any other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2026 to enforce the provisions of the Kansas consumer protection act against a manufacturer that engages in the following actions:

(A) Deny, restrict, prohibit or otherwise interfere with the acquisition of a 340B drug by or delivery of a 340B drug to a pharmacy that is under contract with a 340B-covered entity and authorized under such contract to receive and dispense 340B drugs on behalf of the 340B-covered entity, unless such receipt and dispensing of 340B drugs by such pharmacy is prohibited by the United States department of health and human services; or

(B) interfere with a pharmacy that has a contract with a 340B-covered entity.

(2) As used in this subsection:

(A) "340B-covered entity" means an entity that is participating in the federal 340B drug

pricing program authorized by 42 U.S.C. § 256b, including such entity's pharmacy or pharmacies, or any pharmacy or pharmacies contracted for the purpose of dispensing drugs purchased through such program;

(B) "340B drug" means a drug that has been subject to any offer for reduced prices by a manufacturer pursuant to the federal 340B drug pricing program authorized by 42 U.S.C. § 256b and is purchased by a covered entity;

(C) "manufacturer" means the same as defined in K.S.A. 65-1626, and amendments thereto; and

(D) "pharmacy" means the same as defined in K.S.A. 65-1626, and amendments thereto.";

And by renumbering sections accordingly

Senator _____