

2737.1200 SECTION 340B PARTICIPANTS.

Subpart 1. **Prohibition on 340B participants.** A pharmacy benefit manager is prohibited from adopting a rule, requirement, or condition that provides that, in order to be included in the pharmacy benefit manager's pharmacy network, a pharmacy, mail order pharmacy, or specialty pharmacy is prohibited from participating in the federal 340B Drug Pricing Program under section 340B of the Public Health Service Act, United States Code, title 42, chapter 6A.

Subp. 2. **Continued access.** A pharmacy benefit manager is prohibited from conditioning continued access to network status on nonparticipation in the 340B program.

Subp. 3. **Specific terms or reimbursement rates.** A pharmacy benefit manager is prohibited from requiring that 340B participants agree to specific terms or reimbursement rates, based on the participant's participation in the 340B program, in order to access network status.

Statutory Authority: *L 2019 c 39 s 20*

History: *46 SR 809*

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