

115TH CONGRESS
2D SESSION

S. 2453

To amend title XVIII of the Social Security Act to require hospitals to provide the Secretary with information on the hospital's acquisition costs for 340B drugs and the total revenues received by the hospital for such drugs.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2018

Mr. GRASSLEY introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to require hospitals to provide the Secretary with information on the hospital's acquisition costs for 340B drugs and the total revenues received by the hospital for such drugs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ensuring the Value
5 of the 340B Program Act of 2018”.

1 **SEC. 2. MEDICARE REQUIREMENT FOR HOSPITALS RE-**
 2 **GARDING 340B DRUG INFORMATION.**

3 (a) IN GENERAL.—Section 1866(a)(1) of the Social
 4 Security Act (42 U.S.C. 1395cc(a)(1)) is amended—

5 (1) in subparagraph (X), by striking “and” at
 6 the end;

7 (2) in subparagraph (Y), by striking the period
 8 at the end and inserting “, and”; and

9 (3) by inserting after subparagraph (Y), the fol-
 10 lowing new subparagraph:

11 “(Z) in the case of a hospital that is a covered
 12 entity under subsection (a)(4) of section 340B of the
 13 Public Health Service Act, to include in any cost re-
 14 port submitted to the Secretary under this title in-
 15 formation on—

16 “(i) the aggregate acquisition costs of the
 17 hospital for drugs acquired during the period
 18 covered by such cost report and for which the
 19 hospital received a discount under such section
 20 340B; and

21 “(ii) the aggregate revenues the hospital
 22 received from all payors for such drugs, disag-
 23 gregated by insurance status (including the
 24 Medicare program, the Medicaid program, the
 25 Children’s Health Insurance Program, private
 26 health insurance, and uninsured).”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall apply to contracts entered into or re-
3 newed on or after the date of the enactment of this Act.

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