



Rep. Maurice A. West, II

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10400HB1272ham001

LRB104 06227 BAB 22733 a

1 AMENDMENT TO HOUSE BILL 1272

2 AMENDMENT NO. _____. Amend House Bill 1272 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Wholesale Prescription Drug Importation Program Act.

6 Section 5. Definitions. As used in this Act:

7 "Canadian supplier" means a manufacturer, wholesale
8 distributor, or pharmacy that is appropriately licensed or
9 permitted under Canadian federal or provincial laws and rules
10 to manufacture, distribute, or dispense prescription drugs.

11 "Department" means the Department of Public Health.

12 "Director" means the Director of Public Health.

13 "Prescription drug wholesaler" means a person or entity
14 licensed as a wholesale drug distributor under the Wholesale
15 Drug Distribution Licensing Act, that contracts with this
16 State to import prescription drugs under the program.

1 "Program" means the Wholesale Prescription Drug
2 Importation Program.

3 Section 10. Wholesale Prescription Drug Importation
4 Program.

5 (a) The Department shall establish the Wholesale
6 Prescription Drug Importation Program to provide lower cost
7 prescription drugs available outside of the United States to
8 consumers in this State at the lower cost.

9 (b) The Department shall implement the program by:

10 (1) contracting with one or more prescription drug
11 wholesalers and Canadian suppliers to import prescription
12 drugs and provide prescription drug cost savings to
13 consumers in this State;

14 (2) developing a registration process for health
15 benefit plan issuers, health care providers, and
16 pharmacies to obtain and dispense prescription drugs
17 imported under the program;

18 (3) developing a list of prescription drugs, including
19 the prices of those drugs, that meet the requirements of
20 Section 15 and publishing the list on the Department's
21 website;

22 (4) establishing an outreach and marketing plan to
23 generate program awareness;

24 (5) establishing and administering a telephone call
25 center or electronic portal to provide information about

1 the program;

2 (6) ensuring the program and the prescription drug
3 wholesalers that contract with this State under paragraph
4 (1) comply with the tracking, tracing, verification, and
5 identification requirements of 21 U.S.C. 360eee-1;

6 (7) prohibiting the distribution, dispensing, or sale
7 of prescription drugs imported under this Act outside the
8 boundaries of this State; and

9 (8) performing any other duties the Director
10 determines necessary to implement the program.

11 (c) The Department shall ensure that the program meets the
12 requirements of 21 U.S.C. 384.

13 (d) In developing the program, the Department may consult
14 with interested parties.

15 Section 15. Eligible prescription drugs. A prescription
16 drug may be imported into this State under the program only if
17 the drug:

18 (1) meets the United States Food and Drug
19 Administration's standards related to prescription drug
20 safety, effectiveness, misbranding, and adulteration;

21 (2) does not violate any federal patent laws through
22 its importation;

23 (3) is expected to generate cost savings for
24 consumers; and

25 (4) is not:

- 1 (A) listed as a controlled substance under State
2 or federal law;
- 3 (B) a biological product;
- 4 (C) an infused drug;
- 5 (D) an intravenously injected drug;
- 6 (E) a drug that is inhaled during surgery; or
- 7 (F) a parenteral drug.

8 Section 20. Program expansion. In its discretion, the
9 Department may by rule expand the Program to import
10 prescription drugs from any other country that is allowed
11 under federal law to import prescription drugs into the United
12 States.

13 Section 25. Program funding. In addition to money
14 appropriated by the General Assembly, the Department may
15 impose a fee on each prescription drug sold under the program
16 or establish another funding method to administer the program.

17 Section 30. Audit procedures. The Director, by rule, shall
18 develop procedures to effectively audit a prescription drug
19 wholesaler participating in the program.

20 Section 35. Annual reporting. Not later than December 1,
21 2026, and each December 1 thereafter, the Department shall
22 submit a report to the Governor and the General Assembly

1 regarding the operation of the program during the preceding
2 State fiscal year, including:

3 (1) which prescription drugs and Canadian suppliers
4 are included in the program;

5 (2) the number of health benefit plan issuers, health
6 care providers, and pharmacies participating in the
7 program;

8 (3) the number of prescriptions dispensed through the
9 program;

10 (4) the estimated cost savings to consumers, health
11 plans, employers, and this State since the establishment
12 of the program and during the preceding State fiscal year;

13 (5) information regarding the implementation of the
14 audit procedures under Section 30; and

15 (6) any other information:

16 (A) the Governor or the General Assembly requests;

17 or

18 (B) the Department considers necessary.

19 Section 40. Rules. As soon as practicable after the
20 effective date of this Act, the Director shall adopt any rules
21 necessary to implement this Act.

22 Section 45. Federal waiver or authorization. If, before
23 implementing any provision of this Act, a State agency
24 determines that a waiver or authorization from a federal

1 agency is necessary for implementation of that provision, the
2 agency affected by the provision shall request the waiver or
3 authorization and may delay implementing that provision until
4 the waiver or authorization is granted.

5 Section 99. Effective date. This Act takes effect July 1,
6 2025.".