

HB4065



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4065

Introduced 5/22/2025, by Rep. Rita Mayfield

SYNOPSIS AS INTRODUCED:

New Act

Creates the 340B Grantee Contract Pharmacy Access Act. Provides that no person, including a pharmaceutical manufacturer, may deny, restrict, or otherwise limit the acquisition of a 340B drug by a 340B grantee or a 340B contract pharmacy authorized to receive 340B drugs on behalf of the 340B grantee unless the acquisition is prohibited by federal law. Provides that the Department of Financial and Professional Regulation is authorized to enforce the Act and investigate possible violations of the Act by any person, including a pharmaceutical manufacturer. Sets forth provisions concerning preemption. Effective immediately.

LRB104 13754 BAB 26493 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the 340B
5 Grantee Contract Pharmacy Access Act.

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

7 "340B contract pharmacy" means a pharmacy in Illinois that
8 is under contract with a 340B grantee to dispense 340B drugs on
9 behalf of the 340B grantee.

10 "340B drug" means a drug that has been subject to any offer
11 for reduced prices by a pharmaceutical manufacturer pursuant
12 to 42 U.S.C. 256b and is purchased by a 340B grantee.

13 "340B grantee" means an entity in Illinois that qualifies
14 as a covered entity under Section 340B of the federal Public
15 Health Service Act, 42 U.S.C. 256b(a)(4)(A)-(K).

16 "Department" means the Department of Financial and
17 Professional Regulation.

18 "Person" includes a natural person, partnership,
19 association, corporation, or any other legal business entity,
20 but does not include any federal or State government entity or
21 body.

22 "Pharmaceutical manufacturer" has the meaning given to the
23 term "manufacturer" in the Wholesale Drug Distribution

1 Licensing Act.

2 Section 10. Use of contract pharmacies. No person,
3 including a pharmaceutical manufacturer, may deny, restrict,
4 or otherwise limit the acquisition of a 340B drug by a 340B
5 grantee or a 340B contract pharmacy authorized to receive 340B
6 drugs on behalf of the 340B grantee unless the receipt is
7 prohibited by federal law.

8 Section 15. Enforcement. The Department is authorized to
9 enforce this Act and investigate possible violations of this
10 Act by any person, including a pharmaceutical manufacturer.

11 Section 20. Preemption.

12 (a) Nothing in this Act shall be construed or applied to be
13 less restrictive than federal law for a person regulated by
14 this Act.

15 (b) Nothing in this Act shall be construed or applied in a
16 manner that would conflict with:

17 (1) applicable federal law; or

18 (2) other laws of this State if the State law is
19 compatible with applicable federal law.

20 (c) Limited distribution of a drug required under 21
21 U.S.C. 355-1 shall not be construed as a violation of this Act.

22 Section 97. Severability. The provisions of this Act are

1 severable under Section 1.31 of the Statute on Statutes.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.