

# The 340B ACCESS Act Protects Care for Patients with HIV & STDs



**ASAP**  
**340B**

Ryan White clinics, AIDS Drug Assistance Programs (ADAPs), STD providers, and family planning clinics are essential for ensuring affordable health care services, critical medications, and care coordination services for millions of people with HIV and STDs. These safety-net health care providers rely on a strong 340B program.

The 340B ACCESS Act stabilizes and modernizes the 340B program so these 340B covered entities, including federal grantees and subgrantees, can continue to perform vital work for their patients.



## Refocuses the Intent of the Program

The 340B program is intended to support safety-net providers serving low-income and vulnerable patients. The 340B ACCESS Act enables Ryan White clinics, ADAPs, STD providers, and family planning clinics, whose mission is to serve underserved or otherwise vulnerable communities, to increase access to affordable drugs and health services for these communities.



## Protects Access to Contract Pharmacies

The 340B ACCESS Act preserves access to contract pharmacies, including specialty and mail order pharmacies, which would be protected for eligible HIV/AIDS patients in the provider's service area. With clear criteria on contract pharmacy arrangements and safeguards around duplicate discounts and diversion, the bill ensures bad actors are not abusing arrangements for their own profits. The bill also requires manufacturers to ship to contract pharmacies, which are not currently recognized in the statute.



## Addresses Standards for Subgrantee Eligibility

The 340B ACCESS Act reflects that all types of 340B grantee participants serve their communities as true safety-net providers. New standards and requirements for subgrantees put needed guardrails and accountability around subgrantee participation in the program. The bill specifies subgrantees' 340B participation must be consistent with, and substantially support, the aims of the relevant federal grant. ADAPs would continue to be categorically eligible for the 340B program.



## Protects 340B Savings for HIV & STD Patients

Pharmacy benefit managers (PBMs) and other for-profit middlemen would be prohibited from siphoning 340B savings from grantee-covered entities providing HIV- and STD-related health care services. The fees PBMs can charge would also be limited to a flat, fair-market value fee.



## Ensures Continuity of Care for HIV & STD Patients

Under this bill, patients would continue to be eligible for 340B if their HIV and STD providers oversee their essential case management and care coordination services. Through updates to the patient definition in the 340B ACCESS Act, Ryan White clinics, ADAPs, STD providers, and family planning clinics can appropriately identify 340B patients, including through eligible referrals. Many patients living with HIV/AIDS depend on these providers for affordable medicines and culturally competent services and these long-overdue reforms clarify the process for both patients and providers.



## Establishes New Transparency Measures for Accountability

The bill includes new public reporting requirements to create more transparency and accountability for all 340B grantees in the program. This includes creating a neutral 340B clearinghouse to receive claims data for Medicare, Medicaid, and commercial payers in a manner that is not burdensome to entities with limited staff resources.

**THE 340B ACCESS ACT REALIGNS THE 340B PROGRAM IN THE INTEREST OF PATIENTS WITH HIV AND STDs.**