

# United States Senate

WASHINGTON, DC 20510

February 2, 2024

To 340B Stakeholders,

As long-time supporters of the 340B program, we believe the program provides a critical benefit to eligible health care providers that enables them to stretch federal resources to provide healthcare services for the patients they serve. However, we acknowledge that there have been concerns from stakeholders about ambiguity in the program and transparency is needed to ensure the program is serving eligible patients as originally intended.

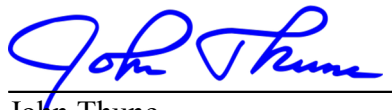
Last year, we began a process to seek information from stakeholders on bipartisan policy solutions to ensure the 340B program has the stability and oversight to continue to achieve its original intention of serving eligible patients. We issued a Request for Information on June 16<sup>th</sup>, 2023, and received over 250 responses from stakeholders. We spent months reviewing these responses and holding additional meetings with stakeholders. We are committed to addressing the concerns that have been raised by stakeholders as part of this process, including HRSA's authorities and resources; contract pharmacy arrangements; the role of PBMs in the program; duplicate discounts; and the promotion of transparency and program integrity.

We believe it is necessary to pass legislation in the 118th Congress that provides clarity, transparency, and accountability in the 340B program in order to ensure the program remains strong, long into the future. Today, we are releasing a legislative discussion draft in an effort to address areas of concern in the program and achieve these goals.

While our discussion draft aims to address the key areas we asked stakeholders about in our RFI, in light of comments from stakeholders, recent court decisions, and developments in the program we are also seeking more information on additional areas, specifically: patient definition, child sites, and contract pharmacy arrangements. We have included specific questions in the attached explanatory document.

We request stakeholders submit any comments and edits to the discussion draft in writing no later than April 1, 2024. Responses may be submitted to [Bipartisan340BRFI@email.senate.gov](mailto:Bipartisan340BRFI@email.senate.gov). Our intent is to continue to keep these responses internal and they will not be posted publicly.

Sincerely,



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John Thune  
United States Senator



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Debbie Stabenow  
United States Senator



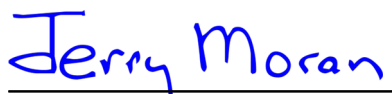
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Shelley Moore Capito  
United States Senator



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Tammy Baldwin  
United States Senator



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Jerry Moran  
United States Senator



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Benjamin L. Cardin  
United States Senator