

340B Coalition – February 17, 2026

HRSA's Request for Information (RFI)

- Comments due **March 19**
- The RFI seeks highly granular metrics which many members indicated may be **difficult or impossible** to produce reliably with existing systems.
- Preference emerged for responding to the **OPPS survey using declarative statements** rather than providing proprietary or burdensome data.
- Concerns were raised regarding:
 - **IT system limitations** and the reliance on **third-party vendors**, which may not be equipped to capture or report data to the level requested.
 - The potential for drug manufacturers to leverage the process to **insert their own platforms or services** into hospital workflows.
 - The broader risk of **administrative overload** should these data expectations become standard.

Legislative Proposal Discussion

- **Rebate Policy Section**

Coalition currently considering whether the proposal should incorporate a dedicated policy section addressing **rebates** and how those rebates interact with 340B operations.
- **IT Infrastructure and Clearinghouse Provisions**

Coalition currently considering whether to fold additional **IT infrastructure requirements** into the clearinghouse section, or treat them separately.

Key Concerns:

 - The proposed clearinghouse structure appears **unilateral**, assigning disproportionate administrative and compliance burdens to hospitals.
 - Expanded data sharing obligations could function as de facto **“terms and conditions,”** raising serious **security and HIPAA-related concerns**, including vulnerability to data breaches.
- **PBM and White Bagging**

Coalition currently considering whether to retain the section addressing **white bagging** practices by PBMs.
- **Definitions**
 - Our coalition's proposed definitions of **“340B patient”** and **“contract pharmacy”** have been **well-received on Capitol Hill**, signaling strong alignment with congressional staff.
 - **“Transparency:”** Ongoing concern remains that IRS Form **990s are insufficient** for meaningful transparency especially because many public entities **do not file 990s at all.**

DSH-Related Changes

- The proposed **attestation requirements** are viewed as overly cumbersome and could jeopardize the successful registration or maintenance of **outpatient 340B child sites.**
- Several hospitals expressed doubt that the attestation process is **feasible at scale**, given the substantial time and labor needed to implement it.