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Media Contact:

Amber Kirchoff

Director, Public Policy + Government Affairs

akirchoff@iphca.org

IPHCA Responds to HHS Release of Advisory Opinion on 340B Discount Drug Program

SPRINGFIELD - The Illinois Primary Health Care Association (IPHCA) applauds the [December 30 advisory opinion](#) issued by the U.S. Department of Healthcare and Human Services (HHS). The opinion asserts that “drug manufacturers are required to deliver discounts under the 340B Drug Pricing Program (340B Program) on covered outpatient drugs when contract pharmacies are acting as agents of 340B covered entities.” Though it is not binding, the opinion in combination with the Department’s recently issued [rule establishing a dispute resolution process](#) and their [letter](#) this fall to drug manufacturer Eli Lilly, are promising developments which indicate that policymakers recognize the threats facing the program and are willing to take action to ensure that it continues to operate as intended by Congress.

We are encouraged by this message from the Department as well as [those from members of Congress](#) and Illinois Attorney General Kwame Raoul who recently joined a [bi-partisan letter](#) with 28 fellow state attorneys general denouncing efforts to undermine 340B and urging HHS to take action to protect the program and the patients who depend on it.

The 340B prescription drug discount program is absolutely critical to ensuring that underserved patients, like those served at Community Health Centers, have access to comprehensive care including life-sustaining medication. Recent actions by pharmaceutical manufacturers jeopardize that access for thousands of low-income, uninsured, and underinsured Illinoisans.

Illinois Community Health Centers serve 1.5 million patients across the state annually. The vast majority of them are low-income and 1 in 5 are uninsured. The 340B Program provides a lifeline to patients who require medications to treat health conditions but financially are unable to obtain those medications. As the pandemic persists into a second year, the number of people who find themselves unemployed, uninsured, and unable to pay for medication has grown; making the 340B Program more important now than ever.

IPHCA looks forward to continuing to work with elected officials, regulatory agencies, and other stakeholders to preserve prescription drug affordability provided for through the 340B program as part of health centers’ missions to ensure that all Illinoisans, regardless of insurance coverage or income, are able to get the care they need to stay healthy and live well.

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