

SENATE FLOOR AMENDMENT

Second Reading

BY SENATORS Michaelson Jenet and Rich

1 Amend printed bill, page 6, after line 20 insert:

2 "(4) "340B SAVINGS" MEANS THE DIFFERENCE BETWEEN THE
3 AGGREGATED MARKET RATE COSTS AND THE AGGREGATED ACQUISITION
4 COSTS FOR 340B DRUGS."

5 Renumber succeeding subsections accordingly.

6 Page 7, line 26, before "**enforcement**" insert "**use of savings** - ".

7 Page 8, before line 24 insert:

8 "(2) A COVERED ENTITY THAT IS A REPORTING HOSPITAL, AS
9 DEFINED IN SECTION 25.5-1-701, SHALL NOT USE 340B SAVINGS FOR THE
10 FOLLOWING PURPOSES:

11 (a) MORE THAN THIRTY-FIVE PERCENT OF TOTAL ANNUAL
12 COMPENSATION OR EXPENSE REIMBURSEMENT FOR THE HOSPITAL'S BOARD
13 OF DIRECTORS;

14 (b) TAX PENALTIES OR FINES ISSUED AGAINST THE HOSPITAL;

15 (c) EXPENSES RELATED TO ADVERTISING AND PUBLIC RELATIONS
16 THAT PROMOTE THE HOSPITAL'S IMAGE, SERVICES, OR PROPOSALS, NOT
17 INCLUDING COMMUNICATIONS REQUIRED BY LAW OR THAT ARE ESSENTIAL
18 FOR PATIENT SAFETY AND PATIENT INFORMATION;

19 (d) LOBBYING EXPENSES AND OTHER COSTS INTENDED TO
20 INFLUENCE LEGISLATION OR BALLOT MEASURES AT THE LOCAL, STATE, OR
21 FEDERAL LEVEL;

22 (e) TRAVEL, LODGING, FOOD, OR BEVERAGE EXPENSES FOR THE
23 HOSPITAL'S BOARD OF DIRECTORS AND OFFICERS; AND

24 (f) GIFTS OR ENTERTAINMENT EXPENSES."

25 Renumber succeeding subsections accordingly.

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