Stricken language would be deleted from and underlined language would be added to present law.

STATE OF ARKANSAS
93rd General Assembly
Regular Session, 2021

By: Representatives Payton, Boyd

A Bill

HOUSE BILL 1709

For An Act To Be Entitled

AN ACT TO REQUIRE A PHARMACEUTICAL MANUFACTURER OR A
WHOLESALE PHARMACY DISTRIBUTOR THAT SELLS OR
DISTRIBUTES INSULIN TO OFFER ENTITIES IN THIS STATE
THE LOWEST WHOLESALE PRICE FOR INSULIN; AND FOR OTHER
PURPOSES.

Subtitle

TO REQUIRE A PHARMACEUTICAL MANUFACTURER
OR A WHOLESALE PHARMACY DISTRIBUTOR THAT
SELLS OR DISTRIBUTES INSULIN TO OFFER
ENTITIES IN THIS STATE THE LOWEST
WHOLESALE PRICE FOR INSULIN.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 4, Chapter 86, Subchapter 1, is amended
to add an additional section to read as follows:

4-86-111. Price of insulin — Pharmaceutical manufacturer or wholesale
pharmacy distributor — Definition.

(a) As used in this section, "lowest wholesale price for insulin"
means the lowest price calculation amount that can be charged to an entity to
purchase insulin based on 340B pricing as defined in the Public Health

(b) A pharmaceutical manufacturer or an affiliate of the
pharmaceutical manufacturer that sells insulin in this state or a wholesale
pharmacy distributor or an affiliate of the wholesale pharmacy distributor
that distributes insulin in this state shall only be allowed to charge an
entity in this state the lowest wholesale price for insulin.

(c) The Attorney General shall:

(1) Investigate potential violations of this section; and

(2) Bring suit against a person for violating this section.