

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1709

5 By: Representatives Payton, Boyd
6

For An Act To Be Entitled

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

15 TO REQUIRE A PHARMACEUTICAL MANUFACTURER
16 OR A WHOLESALE PHARMACY DISTRIBUTOR THAT
17 SELLS OR DISTRIBUTES INSULIN TO OFFER
18 ENTITIES IN THIS STATE THE LOWEST
19 WHOLESALE PRICE FOR INSULIN.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code Title 4, Chapter 86, Subchapter 1, is amended
26 to add an additional section to read as follows:

27 4-86-111. Price of insulin – Pharmaceutical manufacturer or wholesale
28 pharmacy distributor – Definition.

29 (a) As used in this section, "lowest wholesale price for insulin"
30 means the lowest price calculation amount that can be charged to an entity to
31 purchase insulin based on 340B pricing as defined in the Public Health
32 Service Act, Pub. L. No. 102-585.

33 (b) A pharmaceutical manufacturer or an affiliate of the
34 pharmaceutical manufacturer that sells insulin in this state or a wholesale
35 pharmacy distributor or an affiliate of the wholesale pharmacy distributor
36 that distributes insulin in this state shall only be allowed to charge an



1 entity in this state the lowest wholesale price for insulin.

2 (c) The Attorney General shall:

3 (1) Investigate potential violations of this section; and

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

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