

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

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

As Engrossed: H3/22/21

# A Bill

HOUSE BILL 1709

5 By: Representatives Payton, Boyd, *Vaught, Barker, Beck, Bentley, Bragg, Cavanaugh, Cloud, Crawford,*  
6 *Eaves, Evans, D. Garner, M. Gray, Hawks, Holcomb, Hollowell, Maddox, McNair, Miller, Milligan,*  
7 *Richmond, Speaks, Wardlaw*  
8 By: Senator D. Sullivan  
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## For An Act To Be Entitled

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

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

30 4-86-111. Price of insulin – Pharmaceutical manufacturer or wholesale  
31 pharmacy distributor – Definition.

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

36 (b) A pharmaceutical manufacturer or an affiliate of the



1 pharmaceutical manufacturer that sells insulin in this state or a wholesale  
2 pharmacy distributor or an affiliate of the wholesale pharmacy distributor  
3 that distributes insulin in this state shall only be allowed to charge an  
4 entity in this state the lowest wholesale price for insulin.

5 (c) The Attorney General shall:

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

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

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9 /s/Payton

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