

U.S. Sen. Baldwin: Introduces bipartisan legislation to provide certainty for the 340B program

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WASHINGTON, D.C. – U.S. Senator Tammy Baldwin (D-WI), a member of the Senate Committee on Health, Education, Labor and Pensions (HELP), helped introduce bipartisan legislation that would provide certainty to hospitals participating in the 340B drug discount program during the COVID-19 public health emergency.

The 340B program requires drug companies to sell discounted prescription drugs to safety net hospitals, rural health facilities, and other entities that provide care in underserved communities. The COVID-19 public health emergency resulted in many hospitals experiencing a reduction in inpatient hospital admissions of low-income Medicare and Medicaid patients, a critical metric in determining eligibility for the 340B program. Though hospitals have started resuming elective procedures, and patients have begun returning to seek care, there is concern that as a result of this year's slowdown, some hospitals may not meet the required inpatient admission threshold to remain in the program for the following year. This legislation would ensure that any previously eligible hospital will be deemed eligible for any cost reporting period during which the public health emergency occurred.

“Our hospitals, health care workers, and the patients they serve need certainty during this ongoing COVID-19 pandemic and we must work together to limit disruptions to our health care system,” **said Senator Baldwin**. “The 340B program has served Wisconsin well by helping to lower drug prices for hospitals and health clinics serving vulnerable communities that would otherwise not be able to afford prescription drugs. This bipartisan legislation has the support of leading Wisconsin

hospitals and it has my support as well because it ensures that hospitals currently eligible for the 340B program have the certainty of being able to maintain eligibility throughout this pandemic. Let's get this done so hospitals can continue providing lower cost health care services to those in need."

Joining Baldwin in this effort are Senators John Thune (R-SD), Debbie Stabenow (D-MI), Rob Portman (R-OH), Shelley Moore Capito (R-WV), and Ben Cardin (D-MD). The legislation is endorsed by America's Essential Hospitals, Ascension Wisconsin, Children's Hospital of Wisconsin, Marshfield Clinic Health System, Gunderson Health System, Advocate Aurora Health, SSM Health, Rural Wisconsin Health Cooperative, and UW Health.

"This proposal will make an important difference for hospitals across the state of Wisconsin. As the healthcare system continues to confront COVID-19, this proposal would give providers certainty that they will be able secure the benefits of the 340B program for the patients that benefit from reduced pharmaceutical prices. Senator Baldwin's leadership, along with her colleagues, will continue to ensure a strong 340B safety net system for the patients and providers that rely on the program," **said Dr. Susan Turney, CEO of Marshfield Clinic Health System.**

"Like everyone, our system has been greatly impacted by the COVID-19 pandemic. We cancelled non-emergency procedures for weeks to ensure the health and safety of patients, their families, our staff and our community; to preserve protective equipment; and to help flatten the curve of virus spread. This legislation is vital to ensure healthcare providers are not unfairly penalized for responding responsibly to COVID-19. Access to discounted drugs and supporting community health are more important now than ever and should be safeguarded as we and those in our care adapt to incredibly challenging times. We appreciate Sen. Baldwin's and her Senate colleagues' proactive leadership on this issue," **said Dr. Scott Rathgaber, M.D., CEO of Gunderson Health System.**

"We are grateful to Senator Baldwin for her leadership to ensure that Wisconsin's hospitals can continue to provide vital safety net services despite the challenges posed by COVID-19. This bill would provide an important degree of certainty in a very uncertain time," **said Dr. Alan Kaplan, CEO of UW Health.**

“We applaud Senator Baldwin, and Senators Thune, Stabenow, Portman, Capito and Cardin for introducing this important bipartisan legislation to protect 340B hospitals. During this public health emergency, safety net hospitals have led the response to COVID-19. Our hospitals and caregivers continue to provide access to COVID-19 testing and treatment in addition to emergency and preventive care. This important legislation supports sustained eligibility for the 340B program for safety net hospitals during a time of uncertainty, supporting our ability to continue to provide access to care and much needed medications for the most vulnerable. We strongly support this legislation and sincerely thank Senator Baldwin for her continued leadership on this issue,” **said Bernie Sherry, Ministry Market Executive of Ascension Wisconsin.**

“S.4160 would help remove uncertainty regarding 340B hospital qualification and allow us to focus on providing exceptional care to vulnerable and rural patients as the COVID-19 pandemic continues. The flexibility to remain in the program during these uncertain times while still maintaining the spirit of the program is something that would be very beneficial to many safety-net and rural providers across the country, including SSM Health. The disruption of our ministry from COVID-19 will be with us for some time. We urge passage of S.4160 to ensure our ability to provide exceptional care to all our patients,” **said Karen Rewerts, System Vice President of SSM Health.**

“Given the extreme impact of COVID-19 on rural hospitals, we need a strong 340-B program more than ever,” **said Tim Size, Executive Director of Rural Wisconsin Health Cooperative in Sauk City, Wisconsin.**

“This bipartisan legislation will help to ensure that the critical resources offered by the 340B program used by our caregivers to provide vital health care to vulnerable and underserved,” **said Joyce Rogers, Chief Government Affairs at Advocate Aurora Health.**

“Now, more than ever, essential hospitals need 340B savings to meet their safety-net mission of caring for vulnerable people and underserved communities. This program is a lifeline for our hospitals, and we thank Sens. Baldwin, Thune, Stabenow, Portman, Cardin, and Capito for working to ensure essential hospitals

and their patients can rely on 340B savings during and after this pandemic,” **said Bruce Siegel, MD, MPH, President and CEO of America’s Essential Hospitals.**

An online version of this release is available [here](#).

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