

**ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025**  
**COMMITTEE STATEMENT**  
**LB168**

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**Hearing Date:** Tuesday February 04, 2025  
**Committee On:** Banking, Commerce and Insurance  
**Introducer:** Hardin  
**One Liner:** Adopt the 340B Contract Pharmacy Protection Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	7	Senators Bostar, Hallstrom, Hardin, Jacobson, Wordekemper, von Gillern, Dungan
<b>Nay:</b>	1	Senator Riepe
<b>Absent:</b>		
<b>Present Not Voting:</b>		

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**Testimony:**

**Proponents:**

Senator Brian Hardin  
Olivia Little  
Dan DeFreece  
Jeremy Nordquist  
Elizabeth Boals-Shively  
Bryce Betke  
Andrew Cross  
Andrea Skolkin  
Tyler Toline  
Jed Lewis  
Andrew Radueche

**Representing:**

Opening Presenter  
Johnson Co. Hospital, Nebraska Rural Health Assoc.  
CHI Health St. Mary's  
Nebraska Hospital Association  
Henderson Health Care Services  
Rural Medical Management Resources  
Prairie Health Ventures  
Health Center Association of Nebraska  
Franciscan Healthcare  
Medicine Man Pharmacy  
Nebraska Hospital Association, Nebraska Pharmacists Association, Boys Town

**Opponents:**

Leah Lindahl  
Katelin Lucariello

**Representing:**

Healthcare Distribution Alliance  
PHRMA

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB 168 would create the 340B Contract Pharmacy Protection Act (Act). The Act would prohibit any manufacturer, agent or affiliate of such manufacturer, or distributor or third-party logistics provider of such manufacturer's drugs from

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denying, restricting, or prohibiting the acquisition of any 340B drug by, or delivery of any 340B drug to, any location authorized by any 340B entity to receive such 340B drug. The Act would also prevent those same parties from requiring 340B entities to submit data as a condition for allowing the acquisition of 340B drugs.

The Act also grants the Attorney General's Office or any county attorney enforcement authority.

The Act states that nothing in the Act shall be construed or applied to conflict with federal law or any other law of the State of Nebraska, if such law is compatible with applicable federal law.

The Bill has a severability clause and an emergency clause.

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**Explanation of amendments:**

AM 225 removes the restrictions on distributors of 340B drugs.

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Mike Jacobson, Chairperson

