



Press Release

340B Drug Pricing Program: Litigation Supplants Congressional Intent

PAULINA ENCK | DECEMBER 6, 2023

A recent South Carolina district court ruling opens the door for the 340B Drug Pricing Program to become the largest federal prescription drug program, surpassing Medicare Part D. In a new insight, Director of Health Care Policy Laura Hobbs reviews the court's findings and considers the challenges and opportunities Congress may have in modifying the statute to benefit both patients and taxpayers.

Hobbs concludes:

Without congressional action, covered entities could double their 340B profits without any statutory requirements to provide charitable care or low-cost care to patients. Moreover, the Department of Health and Human Services and Health Resources and Services Administration are limited in their oversight of the program, reducing much needed transparency. Congress must act to return 340B to its original intent and not allow the program to drift into an opaque source of monies for covered entities to use without accountability to either patients or taxpayers.

[Read the analysis](#)