

April 21, 2025

Dear Senator Lyons and Members of the Senate Health and Welfare Committee (SHW):

The Office of the Health Care Advocate (HCA) and the Green Mountain Care Board (GMCB) respectfully request that SHW consider several edits to H. 266:

- **Sec. 2. 18 V.S.A. § 9406**
 - a. **Recommendation:** Add “in a form and manner prescribed by the Board” following “shall submit to the Green Mountain Care Board”.
 - b. **¶ (1) Recommendation:** Replace the entire paragraph with: “For all prescription drugs the hospital or any entity acting on the hospital’s behalf obtained under the 340B program and dispensed or administered to patients during the previous calendar year: i) the aggregated acquisition cost for all such prescription drugs; and ii) the aggregated payment amount, broken down by payer type (including Medicare, Medicaid, commercial, and uninsured) and further separated into patient cost-sharing and third-party payer contributions, that the hospital received for all such prescription drugs. Hospitals must estimate revenue from administered drugs for which payment is bundled with payment for other services and describe the methodology for calculating the estimate.”
 - c. **¶ (3) Recommendation:** Add: “followed by a list of the vendors by name and a brief description of the work performed by each vendor.”
 - d. **¶ (5) Recommendation:** Add: “Hospitals are required to provide detailed and quantitative data to support any claim that services that support community access to care could not continue without 340B revenue.”
 - e. **Recommendation:** Add a new ¶ 7 “Such additional information as the Board may request.”
- **All sections:**
 - a. **Recommendation:** Replace “savings” with “revenue” as dollars that 340B hospitals receive by purchasing drugs from manufacturers at a discount and then charging insurers and Vermonters the regular/list (“sticker”) price of the drugs are not savings.

Thank you for your consideration.

Sincerely,

Mike Fisher
Chief Health Care Advocate
Office of the Health Care Advocate

Kathryn O’Neill
Director of Prescription Drug Pricing
Green Mountain Care Board