



STATE OF NORTH DAKOTA
GOVERNOR DOUG BURGUM

NORTH DAKOTA STATE BOARD OF PHARMACY
OFFICE OF THE EXECUTIVE DIRECTOR

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Bill No 1473 – Prohibited Acts of Drug Manufacturers
House Industry, Business and Labor Committee- 327C
2:30 P.M. - Monday – February 10th, 2025

Chairman Warrey, Members of the Industry Business and Labor Committee, for the record I am Mark Hardy, PharmD, Executive Director of the North Dakota State Board of Pharmacy. I appreciate the opportunity to be here today and provide a testimony on behalf of the Board on House Bill 1473.

This bill adds to the prohibitive acts section of the Wholesale Drug license requirements to provide safeguards for 340B covered entities and contract pharmacies on actions of the manufacturer to limit or restrict access to the 340B drug discount program. The 340B program (created in 1992) is a discount program which is intended to help health care entities care for low income and uninsured patients. The 340B Program was expanded over the years to include other eligible health care entities. Critically, the overall federal authority of 340B is the Federal Health Resources and Services Administration (HRSA).

The 340B program financially supports both covered entities and contract pharmacies. Like it or not, to be clear, this program supports our state's health care infrastructure in a big way.

If enacted, the Board of Pharmacy would be tasked with enforcing the provisions on the licensed manufacturers and virtual manufactures conducting business in the state. We are willing to take on this responsibility.

I would be happy to answer any questions which you may have for me, and I appreciate your time and consideration of this legislation.