

111TH CONGRESS  
2D SESSION

# S. 11

To restore the application of the 340B drug discount program to orphan drugs with respect to children's hospitals.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2010

Mr. BROWN of Massachusetts (for himself, Ms. SNOWE, Mr. BENNETT, Mr. CORKER, Ms. COLLINS, Mr. VOINOVICH, Mr. ALEXANDER, and Mr. CHAMBLISS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To restore the application of the 340B drug discount program to orphan drugs with respect to children's hospitals.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CONTINUED INCLUSION OF ORPHAN DRUGS IN**  
4                       **DEFINITION OF COVERED OUTPATIENT**  
5                       **DRUGS WITH RESPECT TO CHILDREN'S HOS-**  
6                       **PITALS UNDER THE 340B DRUG DISCOUNT**  
7                       **PROGRAM.**

8       (a) AMENDMENT.—Subsection (e) of section 340B of  
9       the Public Health Service Act (42 U.S.C. 256b) is amend-

1 ed by striking “covered entities described in subparagraph  
2 (M)” and inserting “covered entities described in subpara-  
3 graph (M) (other than a children’s hospital described in  
4 subparagraph (M))”.

5 (b) EFFECTIVE DATE.—The amendment made by  
6 subsection (a) shall take effect as if included in the enact-  
7 ment of section 2302 of the Health Care and Education  
8 Reconciliation Act of 2010 (Public Law 111–152).

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