

AN ACT

RELATING TO HEALTH; REQUIRING CERTAIN HEALTH CARE ENTITIES
TO PARTICIPATE IN A FEDERAL PUBLIC HEALTH SERVICE
PRESCRIPTION DRUG DISCOUNT PROGRAM, ALLOWING AN EXCEPTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public Health Act is
enacted to read:

"FEDERAL PARTICIPATION REQUIRED-- EXCEPTION. --

A. Except as provided in Subsection B of this
section, all programs, clinics, hospitals and other health-
related centers and entities, including those identified by
the human services department pursuant to Paragraph (3) of
Subsection A of Section 27-2-12.13 NMSA 1978, that are
eligible under Section 340B of the federal Public Health
Service Act, including hospitals and clinics licensed under
the state Public Health Act, shall participate in that
Section 340B federal prescription drug price discount
program

B. If an entity described in Subsection A of
this section can demonstrate to the satisfaction of the
department of health that the prescription drug price
discount it receives other than through the Section 340B
program results in greater savings to the state, the entity
may be granted an exception to the requirements of this

section. "