

[DISCUSSION DRAFT]119TH CONGRESS
2^D SESSION**H. R.** _____

To amend title III of the Public Health Service Act to temporarily limit
the use of rebates under the 340B Program.

IN THE HOUSE OF REPRESENTATIVES

Mr. BRESNAHAN introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend title III of the Public Health Service Act to
temporarily limit the use of rebates under the 340B
Program.

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. SHORT TITLE.**

4 This Act may be cited as the “_____ Act
5 of 2026”.**]**

1 **SEC. 2. LIMITING USE OF REBATES UNDER THE 340B PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—Section 340B(a) of the Public
4 Health Service Act (42 U.S.C. 256b(a)) is amended by
5 adding at the end the following new paragraph:

6 “(11) TEMPORARY LIMIT ON USE OF RE-
7 BATES.—For the period beginning on **January 1,**
8 **2027**]/**[the date of enactment of this paragraph]**,
9 and ending on December 31, 2028, the Secretary
10 may not enter into an agreement with a manufac-
11 turer of covered outpatient drugs under paragraph
12 (1) under which the amount required to be paid to
13 the manufacturer for covered outpatient drugs by a
14 covered entity (other than a covered entity described
15 in paragraph (4)(E)) exceeds, at the point of pur-
16 chase of such drug, the applicable ceiling price for
17 such drug (as described in paragraph (1)).”.

18 (b) DELAYING IMPLEMENTATION OF 340B REBATE
19 MODEL PILOT PROGRAM.—For the period beginning on
20 **January 1, 2027**]/**[the date of enactment of this sec-**
21 **tion]**, and ending on December 31, 2028, the Secretary
22 of Health and Human Services may not implement the
23 340B Rebate Model Pilot Program described in the notice
24 titled “Notice Regarding 340B Rebate Model Pilot Pro-
25 gram” (91 Fed. Reg. 48883 (August 3, 2026)), or any
26 substantially similar program.