



# The Monitor

The Inside Source on the Public Health Service 340B Drug Discount Program

**September 4, 2008**

## **BREAKING NEWS ALERT**

### **State of Emergency Brings More Flexibility for 340B Entities** *New Entities Allowed Expedited Enrollment*

Following HHS Secretary Michael Leavitt's declaration of emergency in hurricane-stricken Gulf States, the Office of Pharmacy Affairs (OPA) is making it easier for hospitals and health centers enrolled in the 340B program to serve patients who fled the storm. Under OPA's flexibility provisions, which relaxes the "definition of patient" standard for 340B covered entities, new 340B entities will also see their pending registrations expedited in order to better assist displaced hurricane victims who need their prescriptions filled.

OPA Director Jimmy Mitchell said Tuesday that 340B registrations from 65 new entities will be backdated to Sept. 1, rather than become effective Oct. 1. Health care facilities enrolling in the 340B program are normally not allowed to access 340B pricing until the end of each quarter of the calendar year.

During the emergency, any covered entity is allowed to dispense 340B drugs to an individual carrying a prescription from Texas, Louisiana, Alabama or Mississippi. Such hospitals and health clinics are also allowed to provide pharmaceuticals to patients even if their medical histories or full health record are unavailable. However, in order for prescriptions to be filled, only medical or health professionals with authority to prescribe drugs are allowed to handle the prescription, OPA said.

OPA has also dispatched three staffers – all members of the Commissioned Corps – to assist in the national emergency relief effort. Two of the staffers are pharmacists who are now working in Alexandria, La., and the third is a health services officer working in San Antonio, Tex. They will be reassigned to other areas and duties as needs change, OPA said.

For questions about the 340B drug program flexibilities during the State of Emergency, please contact the 340B/Office of Pharmacy Affairs at:

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Fax: 301-594-4982

E-mail: [OPAstaff@HRSA.gov](mailto:OPAstaff@HRSA.gov)

More information about waivers from Medicare and Medicaid rules during the emergency can be found at [http://www.cms.hhs.gov/Emergency/02\\_Hurricanes.asp](http://www.cms.hhs.gov/Emergency/02_Hurricanes.asp).