



Ohio Revised Code

Section 5167.123 Medicaid MCO contracts with 340B program participants.

Effective: September 30, 2025

Legislation: House Bill 96

(A) No contract between a medicaid managed care organization, including a third-party administrator, and a 340B grantee shall contain any of the following provisions:

(1) A payment rate for a prescribed drug provided by a 340B grantee to an individual as a result of health care services provided by the grantee directly to the individual, that is less than the payment rate applied to health care providers that are not 340B grantees;

(2) A fee that is not imposed on a health care provider that is not a 340B grantee;

(3) A fee amount that exceeds the amount for a health care provider that is not a 340B grantee.

(B) The organization, or its contracted third-party administrators, shall not discriminate against a 340B grantee in a manner that prevents or interferes with a medicaid recipient's choice to receive a prescription drug from a 340B grantee.

(C) Any provision of a contract entered into between the organization and a 340B grantee that is contrary to division (A) of this section is unenforceable and shall be replaced with the dispensing fee or payment rate that applies for health care providers that are not 340B grantees.

(D) A medicaid managed care organization or a third-party administrator shall provide a payment rate for all prescribed drugs obtained through the federal 340B drug pricing program by providers that are not 340B grantees that is equal to the payment rate for those prescribed drugs that is specified in the medicaid state plan.

(E) Any payment made pursuant to a payment rate described in this section is subject to audit by the department of medicaid under section 5160.20 of the Revised Code.

