



11 (b) Drugs purchased pursuant to Section 256b of Title 42 of the  
12 United States Code and received by a pharmacy shall be segregated  
13 from the pharmacy's other drug stock by either physical or electronic  
14 means. All records of acquisition and disposition of these drugs shall  
15 be readily retrievable in a form separate from the pharmacy's other  
16 records.

17 (c) Drugs obtained by a pharmacy to be dispenses to patients of  
18 an eligible entity pursuant to Section 256b of Title 42 of the United  
19 States Code that cannot be distributed because of a changes in cir-  
20 cumstances for the eligible entity or the pharmacy shall be returned  
21 to the distributor from which they were obtained. For the purposed  
22 of this section, a change in circumstances included, but is not limited  
23 to, the termination or expiration of the contract between the phar-  
24 macy and the eligible entity, the closure of a pharmacy, disciplinary  
25 action against the pharmacy, or closure of the eligible entity.

1 SECTION 3. If an eligible entity described in Section 1 above can  
2 demonstrate to the satisfaction of the Executive Office of Health and  
3 Human Services that the prescription drug discount it receives other  
4 than through the Section 340B program results in greater savings to  
5 the state, the entity may be granted an exception to the requirements  
6 of this section.