



June 2, 2026

[Submitted electronically to TEngels@hrsa.gov]
Thomas J. Engels
Administrator
Health Resources and Services Administration
U.S. Department of Health and Human Services
5600 Fishers Lane
Rockville, MD 20857

Re: Eli Lilly's Unilateral Imposition of New 340B Drug Pricing Program Requirements

Dear Administrator Engels,

On behalf of our more than 65,000 pharmacists, student pharmacists, and pharmacy technicians in all patient care settings, including hospitals, ambulatory clinics, and health-system community pharmacies, ASHP requests that HRSA take immediate enforcement action to stop Eli Lilly from cutting off access to 340B pricing for hospitals that refuse to provide claims-level data by next week.

Nothing in statute or regulations allows manufacturers to unilaterally impose extra-statutory obligations on covered entities as a condition of accessing 340B pricing. Eli Lilly's claims data policy conflicts with the plain language of the 340B statute, which requires manufacturers to offer certain outpatient drugs to covered entities at or below the statutory ceiling price and does not permit manufacturers to impose conditions on purchases of drugs dispensed by covered entities to their patients.

HRSA must take all available enforcement action against Lilly to ensure that it and other manufacturers are held to program requirements. Lilly's extralegal requirements effectively raise the costs of 340B drugs above the ceiling price, undermining the statute and diverting scarce resources from patient care. Manufacturers cannot be allowed to circumvent the law at the expense of covered entities and the patients they serve.

Thank you for your continued leadership and for your commitment to ensuring the 340B program operates as federal law requires.

Sincerely,

Tom Kraus, J.D.
Chief Advocacy Officer and Vice President, Government Relations