

340B: The Drug Discount Patients May Never See

Featuring
Sally Greenberg, CEO
& Lisa Bercu, Sr. Director
National Consumers League



This time on Code WACK!

This time, we're taking a closer look at the federal 340B Drug Pricing Program. In a nutshell, the program gives hospitals and clinics that serve low-income and other vulnerable patients deep discounts on prescription drugs.

But who really benefits from these discounts? Patients? Or hospitals?

Did the legislation really intend that patients be charged coinsurance based on the full price of drugs that their hospital bought for far less?

Let's explore why consumer advocates say the program needs reform.

Today's guests are from the National Consumers League, **Sally Greenberg, CEO and Lisa Bercu, Senior Director of Health Policy.** The NCL is one of the nation's oldest consumer and worker advocacy organizations.

This is the second episode in a two-part series.

Check out the Transcript and Show Notes for more!

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WE DISCUSS

Tell us how the 340B program works. What concerns you about it?

Bercu: Let's say you have a hospital enrolled in the 340B program. A lot of oncology drugs are purchased through the 340B program.

So [the hospital] purchases an infused oncology product from a drug manufacturer at a steeply discounted rate. The hospital then charges the insurance for the full price of that medicine, and so the hospital gets to keep that spread, that difference.

But what happens is the patient — so often for infused oncology products, a patient is paying a co-insurance.... They're not paying a co-insurance based on the discounted price that the hospital actually paid. Instead, they're paying that co-insurance based on the full price of the product, and so they are being subject to this really high medical bill that the hospital didn't itself have to pay.

And if patients can't afford to pay that bill?

BERCU: Then you have hospitals that are aggressively going after patients for that medical debt.

So what we're talking about are things like garnishing their wages, placing liens on their homes. We've even seen situations where they are denying or deferring care to patients who have pre-existing medical debt.

So those are the things that we're talking about and the concerns that we have when it comes to the 340B program and its impact on patients.

Transcript

Read the [transcript](#).

Helpful Links

[National Consumers League](#)

[340B: Breaking down the most misunderstood healthcare program in history](#), *Hospitology*

[The Fight Over 340B: Why A Little-Known Drug Program Matters For Black And Low-Income Patients](#), *Forbes*

[Hospital Medical Debt: Aggressive Debt Collection Practices in 340B Hospitals Despite Higher Cancer Burdens](#), *National Consumers League*

[Johns Hopkins Hospital sues patients, many low income, for medical debt](#), *Washington Post*

[Thousands of Poor Patients Face Lawsuits From Nonprofit Hospitals That Trap Them in Debt](#), *Propublica*

[Report examines important considerations for a unified health care financing plan in California](#), *UCLA Center for Health Policy Research*

Biography - Sally Greenberg

Sally Greenberg is a champion of consumer and worker rights and joined the **National Consumers League** (NCL) as Executive Director on October 1, 2007. An expert on a broad spectrum of issues, Sally has testified before Congress and federal agencies on privacy matters, food labeling, geopolitical tracking, teen financial literacy and NCL's teen LifeSmarts program, child labor, fraud, product safety, data privacy, auto safety, and prescription drug access, safety and affordability. In 2022, Sally assumed the role of CEO, continuing to advance NCL's mission of advocating for fairness and transparency in the marketplace.

Sally brings extensive experience in nonprofit leadership, serving on prominent boards and advisory councils. She is currently a member of the Board of Directors for the Fair Labor Association and the Alliance for a Stronger FDA. Additionally, she serves on the Advisory Council of Tzedek DC and participates in the ANSI Consumer Information Forum. Committed to her community, Sally volunteers as Co-President of Temple Sinai Women of Reform Judaism.

Sally's thought leadership extends to writing, with publications including a chapter, *"Who's Minding Our Business,"* in the National Museum of American History's 2015 volume, *American Enterprise*, as well as numerous law review articles and an Amicus Brief to the U.S. Supreme Court.

Biography: Lisa Bercu, JD

Lisa Bercu is the Senior Director of Health Policy at the **National Consumers League** (NCL), where she leads the organization's health policy team and advances policies to improve healthcare affordability and access.

Before joining NCL, Lisa worked at the U.S. Food and Drug Administration (FDA) for eight years, where she served as Senior Regulatory Counsel in the Office of Generic Drugs and later as Senior Advisor to the Deputy Commissioner for Policy, Legislation, and International Affairs.

Prior to her tenure at the FDA, Lisa held roles in congressional and regulatory affairs at a medical society and a reproductive health organization. Lisa holds a J.D. from Georgetown University Law Center and a B.A. from the University of Michigan.

Host Biography: Brenda Gazzar

Brenda Gazzar, the host and co-producer of **Code WACK!**, has produced over 300 weekly podcast episodes, topping 400,000 downloads. A skilled interviewer and storyteller, Brenda brings nuance, curiosity, and clarity to every conversation.

Brenda has worked as a multilingual and award-winning reporter with more than two decades of experience in California and the Middle East.

Her work has been published by Reuters, Ms. Magazine, USA Today, Los Angeles Daily News, the Orange County Register, The Wrap, The Jerusalem Post, Cairo Times, and numerous other publications. She speaks Spanish, Hebrew, and moderate Arabic and is the recipient of national, state, and regional awards.

Brenda also enjoys being a life coach, helping people align with their purpose so they feel fulfilled while achieving their boldest dreams. Brenda's work is grounded in a belief that systemic change and personal growth go hand in hand — and she's here for both.

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