

May 6, 2025

UPDATE TO VERTEX PHARMACEUTICALS 340B CONTRACT PHARMACY POLICY

Vertex Pharmaceuticals Incorporated (“Vertex”) exempts from its 340B Contract Pharmacy policy covered entities with registered locations in states that have passed legislation that prohibits manufacturers from restricting 340B contract pharmacy utilization. Previously, Vertex updated its policy to identify each state in which this exemption applied, after each state legislation became effective. Going forward, Vertex will not update its policy each time a new state law becomes effective. Instead, on the effective date of any such state legislation, Vertex’s 340B Contract Pharmacy Policy will not apply to covered entities registered in the OPAIS database and located in the relevant state. Questions about the applicability of this exemption may be directed to support@340BESP.com or 1-888-398-5520.

Vertex recognizes that state legislation that regulates 340B contract pharmacy utilization is being challenged in litigation in many jurisdictions. Vertex reserves the right to amend or update its policy in its sole discretion, and Vertex currently carves out covered entities from its contract pharmacy policy in states with relevant legislation out of an abundance of caution as Vertex believes the legality of those relevant provisions is currently unsettled.

Addendum A to the Policy has been revised consistent with the above update. No other changes have been made.

February 4, 2025

Notice Regarding Vertex's 340B Contract Pharmacy Policy

Dear Covered Entity,

Vertex is updating its 340B Contract Pharmacy Policy for "Bill To/Ship To" replenishment orders for hospital covered entities for contract pharmacies, effective February 4, 2025. This policy was originally effective July 1, 2024, and applied to our cystic fibrosis (CF) medicines. Vertex is now updating its policy to add its pain medicine, JOURNAVX™ (suzetrigine).

Vertex continues to support the 340B program and access to care for patients in need. However, we also believe it is important to uphold the integrity and intent of the program. Accordingly, Vertex has implemented a policy regarding contract pharmacies' eligibility to receive our cystic fibrosis (CF) and pain medicines purchased at the 340B discount.

Vertex will not facilitate "Bill To/Ship To" replenishment orders for hospital covered entities for contract pharmacies, other than for the exceptions listed below:

- Vertex will permit hospital covered entities under 42 U.S.C. § 256b(a)(4)(L)-(O) to designate a single contract pharmacy location for CF medicines¹ and a single contract pharmacy for pain medicines² if the covered entity does not have an in-house outpatient pharmacy capable of dispensing 340B-priced covered outpatient drugs to eligible patients. This ensures all covered entities can access Vertex's 340B-priced covered outpatient drugs. Contract pharmacy designations may be modified once every twelve (12) months (from the date of initial or previous designation).
- Vertex's 340B Contract Pharmacy Policy does not apply to covered entities in states referenced in Addendum A.

Vertex, at its sole discretion, is exempting Federal grantees under 42 U.S.C. § 256b(a)(4)(A)-(K) from Vertex's 340B Contract Pharmacy Policy.

Vertex utilizes the 340B ESP™ platform to support the contract pharmacy designation process for hospital covered entities with no in-house outpatient pharmacy. Covered entities that have not already registered an account with 340B ESP™ should make their contract pharmacy designations by visiting <https://www.340besp.com/designations>. Covered entities that have already registered an account with 340B ESP™ must designate a contract pharmacy by navigating to the Entity Profile tab at <https://www.340besp.com>.

¹ Vertex's cystic fibrosis medicines include KALYDECO® (ivacaftor), ORKAMBI® (lumacaftor/ivacaftor), SYMDEKO® (tezacaftor/ivacaftor and ivacaftor), TRIKAFTA® (elexacaftor/tezacaftor/ivacaftor and ivacaftor), and ALYFTREK™ (vanzacaftor/tezacaftor/deutivacaftor).

² Vertex's pain medicines include JOURNAVX™ (suzetrigine).



Contract pharmacy designations shall apply to the parent and all child sites, as indicated on the Health Resources and Services Administration (HRSA) Office of Pharmacy Affairs Information System (OPAIS) website.

All covered entities may voluntarily submit claims data through 340B ESP™ at <https://www.340besp.com> to support Vertex's 340B Integrity Initiative.

Please refer to the attached FAQ for additional information. If you have further questions regarding this policy or utilization of the 340B ESP™ platform, please contact support@340BESP.com or call 1-888-398-5520.

Best regards,

Brooke Goobic

Brooke Goobic, Vice President, Market Access

Frequently Asked Questions

1. What covered entities are subject to Vertex's 340B Contract Pharmacy Policy?

Vertex will continue to offer 340B discounts to all covered entities. However, Vertex will not facilitate shipments to contract pharmacies of hospital covered entities that have in-house dispensing capabilities. Vertex will facilitate the shipment of 340B-priced covered outpatient drugs to a single contracted pharmacy of the covered entity's choice for hospital covered entities without in-house dispensing capabilities.

Federal grantees and covered entities in certain states are currently exempt from Vertex's 340B Contract Pharmacy Policy.

2. Which products are subject to Vertex's policy?

Vertex's Contract Pharmacy Policy applies to all Vertex medicines except CASGEVY® (exagamglogene autotemcel). Vertex's Contract Pharmacy Policy does not apply to CASGEVY because CASGEVY cannot be delivered via a "Bill To/Ship to" arrangement at this time based on the established distribution network of CASGEVY. We may reevaluate the applicability of this policy for CASGEVY if there are any changes to the distribution network.

3. Is the 340B ESP™ platform the only way a covered entity without an in-house pharmacy can designate its one contract pharmacy?

Yes. Vertex is utilizing the 340B ESP™ platform to support this designation.

Hospital covered entities that have registered an account with 340B ESP™ can designate a single contract pharmacy by navigating to the Entity Profile tab.

Hospital covered entities that wish to register a new account on the ESP platform can create a new account at <https://www.340besp.com/> and may designate one contract pharmacy by navigating to the Entity Profile tab.

Hospital covered entities that elect not to register an account on the ESP platform can make their one contract pharmacy designation by visiting <https://www.340besp.com/designations>.

4. Does my covered entity need to update its contract pharmacy designation if we already designated for CF, but not the pain product?

No action is required for CF for which you have already designated a contract pharmacy location, but you must make a contract pharmacy designation for the pain product line. A contract pharmacy designation can be modified once every twelve (12) months (from the date of initial and/or previous designation). If your covered entity would like to make a contract pharmacy designation, you can make your contract pharmacy designations by visiting <https://www.340besp.com/designations>.

- 5. My covered entity does not have an in-house pharmacy that is capable of purchasing and dispensing 340B-priced covered outpatient drugs. How long will it take for my contract pharmacy designation to take effect?**

Please allow 10 business days for contract pharmacy designations to take effect. You can make your contract pharmacy designations by visiting <https://www.340besp.com/designations>.

- 6. My covered entity does not have an in-house pharmacy that is capable of purchasing and dispensing 340B-priced covered outpatient drugs and has contract pharmacy arrangements with pharmacies in multiple locations. Can my covered entity designate as its contract pharmacy all locations of the same pharmacy?**

No. Vertex's policy allows hospital covered entities without an in-house pharmacy to designate a single contract pharmacy location for CF medicines and a single contract pharmacy location for pain medicines. Contract pharmacy locations are registered individually on the Health Resources and Services Administration (HRSA) database and correspond to a single contract "Bill-To/Ship-To" pharmacy location registered with HRSA.

- 7. My covered entity has a contract pharmacy relationship with a pharmacy that is owned by our health system. Is this pharmacy subject to Vertex's policy?**

If a covered entity has an in-house pharmacy, then under Vertex's policy, the covered entity must use that pharmacy and cannot designate a contract pharmacy, including a wholly owned pharmacy. However, if a covered entity does not have an in-house pharmacy, then a wholly owned pharmacy can be designated as that covered entity's single pharmacy location.

- 8. My covered entity has an in-house pharmacy that is capable of purchasing and dispensing 340B-priced covered outpatient drugs, but we do not use it to dispense 340B-priced covered outpatient drugs. Can we designate one contract pharmacy instead?**

No, subject to the exemptions identified in Vertex's policy, if a covered entity has an in-house pharmacy capable of dispensing 340B-priced products to eligible patients then the covered entity must use that pharmacy and cannot designate a contract pharmacy instead.

- 9. Can my covered entity use its in-house pharmacy or designated contract pharmacy as a "replenishment" location, to include dispensing activity from other pharmacy locations?**

No, in-house or contract pharmacy designations are specific to a location registered individually on the HRSA database by name and location. Vertex will only facilitate shipment or replenishment for product dispensed by the pharmacy at their own physical location registered on the HRSA database.

10. How often can my covered entity change its contract pharmacy designation?

A contract pharmacy designation can be modified once every twelve (12) months (from the date of first and/or previous designation). Vertex will facilitate a change sooner if the designated contract pharmacy relationship is terminated before the twelve (12)-month period lapses and reflected as terminated in Health Resources and Services Administration (HRSA) Office of Pharmacy Affairs (OPAIS) database. Changes to contract pharmacy designations can be made by visiting www.340besp.com/designations if a contract pharmacy relationship is terminated and/or after twelve (12) months have elapsed.

11. Does Vertex require covered entities to have a Health Industry Number (HIN) registered for the contract pharmacy that they designate? Yes, a contract pharmacy must have a HIN assigned to it in order for a covered entity to designate it as its single contract pharmacy. This information is important for use with Vertex distributors.

12. If the contract pharmacy that my covered entity wants to designate does not have a HIN, how does my entity get one?

Vertex will not register a HIN on your behalf; however, if you need guidance or more information on how to get a HIN assigned to your contract pharmacy, please reach out to support@340besp.com or call 1-888-398-5520. If you try to designate a contract pharmacy without a HIN in 340B ESP™, the system will notify you of this requirement and provide instructions for how to obtain a HIN.

13. My covered entity would like to voluntarily submit 340B claims for its designated contract pharmacy. What does our entity need to do to begin submitting 340B claims?

340B covered entities that wish to submit 340B claims under Vertex's policy can do so by registering for an account at www.340BESP.com. Users that have registered an account with 340B ESP™ can begin submitting 340B claims for Vertex by navigating to the Claims Data Submission tab. It is requested that the 340B claims are submitted within 45 days of the dispense date.

14. Will training or support be provided to covered entities on how to use the 340B ESP™ platform?

Covered entities can access information and training at www.340besp.com/FAQs to learn more about 340B ESP™. For assistance, covered entities can access a repository of webinars at www.340besp.com/resources/webinars or call 1-888-398-5520.

Addendum A

Vertex's 340B Contract Pharmacy Policy does not apply to covered entities with registered locations in states that have passed legislation that prohibits manufacturers from restricting 340B contract pharmacy utilization, as of the effective date of each state's legislation.³

³ Questions about the applicability of this exemption may be directed to support@340BESP.com or 1-888-398-5520.