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ADAP Advocacy Applauds Ruling by the U.S. Court of Appeals for the Fourth Circuit on the 340B Drug Pricing Program

Appeals Court's Decision Puts Patients First by Siding with Accountability

For Immediate Release:
April 15, 2026

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WASHINGTON, D.C. – ADAP Advocacy praises the decision by the U.S. Court of Appeals for the Fourth Circuit, which reversed the District Court's denial of a preliminary injunction. This injunction was sought by pharmaceutical companies — Novartis, Allergan, AstraZeneca, and PhRMA — to contest Maryland's H.B. 1056. The law sanctions unlimited growth in the 340B Drug Pricing Program without guardrails for accountability and transparency to prevent waste, fraud, and abuse. ADAP Advocacy had opposed the bill before it became law.

The U.S. Court of Appeals for the Fourth Circuit reversed a lower court decision, [*AbbVie, Inc. v. Anthony Brown*](#), ruling that companies and a trade group are likely to succeed in their challenge to Maryland's H.B. 1056. The law, effective now, requires drug manufacturers to supply unlimited quantities of discounted drugs to pharmacies that contract under the 340B Drug Discount Program. They argue that the law improperly mandates that drug companies supply contract pharmacies, is preempted by federal law, and violates the Constitution.

Brandon M. Macsata, CEO of ADAP Advocacy, stated: **“ADAP Advocacy has long contended that state legislatures legally have no statutory authority over the 340B Program because it is a federal program. Whereas we continue to support a robust program, it must be rooted in accountability and transparency and designed to ensure it benefits the law’s intended beneficiaries: patients. Maryland’s HB1056 did none of those things.”**

To learn more about ADAP Advocacy or the 340B Program, please email info@adapadvocacy.org.

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About ADAP Advocacy: The ADAP Advocacy mission is to promote and enhance the AIDS Drug Assistance Programs (ADAPs) and improve access to care for persons living with HIV/AIDS. ADAP Advocacy works with advocates, community members, health care providers, government officials, patients, pharmaceutical companies, and other stakeholders to raise awareness, offer patient education programs, and foster greater community collaboration.