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Attorney General Griffin Secures Win Defending Drug Access Law as U.S. Supreme Court Refuses Appeal

Griffin: 'This is a big win for Arkansas's drug access law'

LITTLE ROCK – Attorney General Tim Griffin today issued the following statement after the United States Supreme Court refused to hear an appeal by Pharmaceutical Research and Manufacturers of America (PhRMA) of a lower court ruling declaring Act 1103 of 2021—Arkansas's 340B Drug Pricing Nondiscrimination Act—constitutional:

“This is a big win for Arkansas's drug access law. With the United States Supreme Court refusing this appeal, the Eighth Circuit's ruling that Act 1103 is not preempted stands. Act 1103 fills a gap in federal law that manufacturers previously exploited to deny equal drug access to rural patients. Today's win means that manufacturers must continue to provide equal access to patients across Arkansas.”

“I am grateful to Solicitor General Nicholas Bronni, Senior Assistant Solicitor General Asher Steinberg, and the Solicitor General team for their excellent work on this case.”

On March 12, the United States Court of Appeals for the Eighth Circuit upheld Act 1103 against PhRMA's constitutional challenge, ruling that Section 340B of the Public Health Services Act does not preempt Arkansas's law. Act 1103 prohibits drug company policies that restrict

dispensing 340B drugs through community and specialty pharmacy partners.

To read the Eighth Circuit's ruling, [click here](#).

About Attorney General Tim Griffin

Tim Griffin was sworn in as the 57th Attorney General of Arkansas on January 10, 2023, having previously served as the state's 20th Lieutenant Governor from 2015-2023. From 2011-2015, Griffin served as the 24th representative of Arkansas's Second Congressional District, where he served on the House Committee on Ways and Means, House Armed Services Committee, House Committee on Foreign Affairs, House Committee on Ethics and House Committee on the Judiciary while also serving as a Deputy Whip for the Majority.

Griffin has served as an officer in the U.S. Army Reserve Judge Advocate General's (JAG) Corps for more than 28 years and currently holds the rank of colonel. In 2005, Griffin was mobilized to active duty as an Army prosecutor at Fort Campbell, Kentucky, and served with the 101st Airborne Division (Air Assault) in Mosul, Iraq.

He is currently serving as the Commander of the 2d Legal Operations Detachment in New Orleans, Louisiana. His previous assignments include serving as the Commander of the 134th Legal Operations Detachment at Fort Liberty (née Bragg), North Carolina, and as a Senior Legislative Advisor to the Under Secretary of Defense for Personnel and Readiness at the Pentagon. Griffin earned a master's degree in strategic studies as a Distinguished Honor Graduate from the U.S. Army War College, Carlisle Barracks, Pennsylvania.

Griffin also served as U.S. Attorney for the Eastern District of Arkansas, and Special Assistant to the President and Deputy Director of Political Affairs for President George W. Bush; Special Assistant to Assistant Attorney General Michael Chertoff, Criminal Division, U.S. Department of Justice; Special Assistant U.S. Attorney, U.S. Attorney's Office, Eastern District of Arkansas; Senior Investigative Counsel, Government Reform and Oversight Committee, U.S. House of Representatives; and Associate Independent Counsel, Office of Independent Counsel David M. Barrett, In re: HUD Secretary Henry Cisneros.

Griffin is a graduate of Magnolia High School, Hendrix College in Conway, and Tulane Law School in New Orleans. He attended graduate school at Oxford University. He is admitted to practice law in Arkansas (active) and Louisiana (inactive). Griffin lives in Little Rock with his wife, Elizabeth, a Camden native, and their three children.

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