

3701-43-26 Manufacturer discount program.

- (A) Effective October 1, 2013, all prescription drugs and nutritional formulas for which BCMH made payments on behalf of eligible clients shall be subject to inclusion in the manufacturer discount program. The manufacturer discount program shall apply to all prescription drugs and nutritional formulas for which BCMH made payments on behalf of eligible clients in each state fiscal year.
- (B) At the end of each state fiscal year and prior to the end of the first quarter of the subsequent state fiscal year, BCMH shall send a letter to all applicable prescription drug manufacturers requesting participation in the discount program. Each letter shall contain, specific to each manufacturer:
 - (1) Total net paid by BCMH in the prior fiscal year for prescription drugs, grouped by national drug code (NDC).
 - (2) Total net paid by BCMH for all drugs produced by the manufacturer.
 - (3) A requested amount to be paid to BCMH based on the payments made by BCMH for nutritional formulas produced by the manufacturer.
 - (4) A payment address to which funds may be sent, and the relevant data needed in order for the Ohio department of health to process the payment.
 - (5) If a written agreement between the parties is necessary, a copy of the approved agreement will be included in the letter.
- (C) At the end of each state fiscal year and prior to the end of the first quarter of the subsequent state fiscal year, BCMH shall send a letter to all applicable nutritional manufacturers requesting participation in the discount program. Each letter shall contain, specific to each manufacturer:
 - (1) Net paid by BCMH in the prior fiscal year for nutritional formulas, grouped by name.
 - (2) Total net paid by BCMH for all formulas produced by the manufacturer.
 - (3) A requested amount to be paid to BCMH based on the payments made by BCMH for nutritional formulas produced by the manufacturer.
 - (4) A payment address to which funds may be sent, and the relevant data needed in order for the Ohio department of health to process the payment.
 - (5) If a written agreement between the parties is necessary, a copy of the approved agreement will be included in the letter.
- (D) In lieu of participating in the discount program, a manufacturer may choose to donate funds to BCMH in order to assure the continued availability of lifesaving prescription drugs and nutritional formula products. BCMH shall only accept donations that it may legally possess and distribute.
- (E) In order to be considered for inclusion in the manufacturer discount program, BCMH must have expended a minimum of five thousand dollars during the state fiscal year on products produced by a manufacturer.

Effective: 1/16/2014

Five Year Review (FYR) Dates: 10/28/2018

CERTIFIED ELECTRONICALLY

01/06/2014

Date

Promulgated Under: 119.03
Statutory Authority: 3701.021
Rule Amplifies: 3701.023