

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
 STATE: COMMONWEALTH OF PENNSYLVANIA  
 DESCRIPTION OF LIMITATIONS

ATTACHMENT 3.1A  
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SERVICE	LIMITATIONS
12. <u>Prescribed Drugs, Dentures, and Prosthetic Devices, and Eyeglasses</u>	
12.a. Prescribed Drugs (continued)	<u>Limitations on Payment</u>
	<p>3. Drugs not included on the Preferred Drug List, and designated as non-preferred.</p> <p>4. Botulinum Toxins</p> <p>5. <i>Reserved</i></p> <p>6. Synagis</p> <p>7. Xolair</p> <p>8. Tysabri</p> <p>9. Early Refills – a request for a refill when more than 25 percent of an earlier-dispensed medication would remain when taken in compliance with the directions and quantity prescribed.</p> <p>10. <i>Reserved</i></p> <p>11. Legend and non-legend cough and cold medications when prescribed for children under 6 (six) years of age.</p> <p>12. <i>Reserved</i></p> <p>13. Buprenorphine agents, except the initial prescription</p> <p>14. Benzodiazepines when prescribed for children under age 21.</p> <p>15. Conventional antipsychotic agents when prescribed for children under 6 (six) years of age.</p> <p>(f) Drug Rebate Agreements</p> <p>1. The Commonwealth is in compliance with section 1927 of the Social Security Act. The state will cover drugs of federal rebate participating manufacturers. The state is in compliance with reporting requirements for utilization and restrictions to coverage. Pharmaceutical manufacturers can audit utilization data. The unit rebate amount is confidential and cannot be disclosed for purposes other than rebate invoicing and verification.</p> <p>2. The Commonwealth will be negotiating supplemental rebates in addition to the federal rebates provided for in Title XIX. Rebate agreements between the state and a pharmaceutical manufacturer will be separate from the federal rebates.</p> <p>3. A rebate agreement between the state and a drug manufacturer for drugs provided to Medicaid recipients, submitted to CMS on October 1, 2005, and entitled "State of Pennsylvania Department of Public Welfare Supplemental Rebate Agreement" has been authorized by CMS.</p> <p>4. The Commonwealth will continue state-specific supplemental rebates and will also participate in a multi-state pooling program that will negotiate supplemental rebates in addition to federal rebates provided for in Title XIX. This multi-state pooling program is known as The Optimal PDL Solution (TOP\$<sup>sm</sup>). TOP\$<sup>sm</sup> rebate agreements will be separate from the federal rebates. TOP\$<sup>sm</sup> supplemental rebates received by the Commonwealth in excess of those required under the federal drug rebate agreement will be shared with the federal government on the same percentage basis as applied under the federal rebate agreement.</p> <p>5. CMS has authorized the state of Pennsylvania to enter into "The Optimal PDL Solution (TOP\$<sup>sm</sup>). The TOP\$<sup>sm</sup> supplemental rebate agreement was authorized by CMS on (CMS will insert the date) and is effective January 1, 2007 for the state of Pennsylvania.</p>

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Supersedes

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