

---

Pharmaceutical Manufacturer Fee

---

10.100 Pharmaceutical Manufacturer Fee (5/26/17, GCR 16-120)

- (a) Pursuant to 33 V.S.A. § 2004, a fee shall be collected from each pharmaceutical manufacturer or labeler of prescription drugs that are paid for by the Department of Vermont Health Access for individuals participating in Medicaid, Dr. Dynasaur or VPharm. The fee shall be 1.5 percent of the previous calendar year's prescription drug spending by the Department of Vermont Health Access and shall be assessed based on manufacturer labeler codes.
- (b) The Department of Vermont Health Access shall annually provide the manufacturer or labeler with an invoice reflecting the fee described in subsection (a) above. This amount will be based on paid claims data under the State's programs. The manufacturer or labeler shall remit the invoiced amount according to instructions provided by the Department of Vermont Health Access.
- (c) In the event the manufacturer or labeler believes an error in billing has occurred, the manufacturer or labeler shall notify the Department of Vermont Health Access in writing within 30 days of receipt of the bill. This notification shall be accompanied by written materials setting forth the basis for the requested review.
- (d) The Department of Vermont Health Access shall maintain on its website a list of the manufacturers or labelers who have failed to provide timely payment. Timely payment means payment received by the Department of Vermont Health Access within 30 days or less of the date that the written invoice was provided to the manufacturer or labeler, or upon resolution of the review process described in subsection (c) above. This list will be updated at least annually.