

DESCRIPTION OF LIMITATIONS

SERVICE	LIMITATIONS
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12. Prescribed Drugs, Dentures, and Prosthetic Devices, and Eyeglasses

12.a. Prescribed Drugs (continued)

Limitations on Payment

3. Drugs not included on the Preferred Drug List, and designated as non-preferred.
4. Botulinum Toxins
5. *Reserved*
6. Synagis
7. Xolair
8. Tysabri
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.
10. *Reserved*
11. Legend and non-legend cough and cold medications when prescribed for children under 6 (six) years of age.
12. *Reserved*
13. *Reserved*
14. Benzodiazepines when prescribed for children under age 21.
15. *Reserved*
16. Nuedexta
17. Makena

(f) Drug Rebate Agreements

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.

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.

3. A rebate agreement between the state and a drug manufacturer for drugs provided to Medicaid recipients, submitted to CMS on October 1, 2006, and entitled "State of Pennsylvania Department of Public Welfare Supplemental Rebate Agreement" has been authorized by CMS.

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\$sm). TOP\$sm rebate agreements will be separate from the federal rebates. TOP\$sm 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.

5. CMS has authorized the state of Pennsylvania to enter into "The Optimal PDL Solution (TOP\$sm). The TOP\$sm supplemental rebate agreement was authorized by CMS on 3/13/2007 and is effective January 1, 2007 for the state of Pennsylvania.

Note: See the revised Drug Rebate approval letter from CMS (dated 3/2/10) and the full agreement text at the end of this section by clicking here.

TN# 11-014
 Supersedes
 TN# 11-010

Approval Date **MAR 05 2012** Effective Date August 8, 2011