

October 3, 2002

MEDICAID DRUG REBATE PROGRAM

RELEASE #119

## For State Medicaid Directors

### Coverage Of Fluviron Flu Vaccine

The manufacturer of the Fluviron flu vaccine, Evans Vaccines Limited, has notified us that some States may not be allowing payment for its vaccines. While Evans Vaccines Limited does not participate in the Medicaid drug rebate program, federal payment is not precluded for its flu vaccines. Under section 1927(k)(1)(B) of the Social Security Act (the Act), a vaccine is not included within the definition of a biological product, and thus, a manufacturer that only markets vaccines need not participate in the Medicaid drug rebate program. Accordingly, vaccines such as those manufactured by Evans Vaccines Limited may still be covered by Medicaid and federal payments made available under section 1903(a) of the Act.

The two vaccines and their NDC numbers are as follows:

Fluviron 5 ml multi-dose vials    NDC 66521-0105-10

Fluviron pre-filled syringes      NDC 66521-0105-01

If you have any questions regarding the above, please contact Larry Reed at 410-786-3325.

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cc:

All State Drug Rebate Technical Contacts

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