

May 14, 2004

MEDICAID DRUG REBATE PROGRAM

RELEASE #131

For State Medicaid Directors

SPECIAL NOTICE

LABELER BANKRUPTCY NOTICE

CMS has received notice that Women First Healthcare, Inc., labeler code 64248, has filed a petition for relief under Chapter 11 of the U. S. Bankruptcy Code, in the U.S. Bankruptcy Court for the District of Delaware. It is important that states protect their interest (and the Federal Government's interest) in the rebates that are owed.

States are expected to file a proof of claim for their drug rebates in any bankruptcy proceeding of a drug manufacturer from whom a drug rebate is owed. Therefore, states should take steps to assure such rebates are properly pursued.

A copy of the bankruptcy filing by Women First Healthcare, Inc., showing the specifics of the creditors meeting is attached.

/s/

Edward C. Gendron

Director

Finance, Systems and Budget Group

Attachment

cc:

All State Drug Rebate Technical Contacts

All Regional Administrators