WAC 182-530-7500 Drug rebate requirement. (1) The medicaid agency reimburses for outpatient prescription drugs only when they are supplied by manufacturers who have a signed drug rebate agreement with the federal Department of Health and Human Services (DHHS), according to 42 U.S.C. 1396r-8. The manufacturer must be listed on the list of participating manufacturers as published by the Center for Medicare and Medicaid Services (CMS).

(2) The fill date must be within the manufacturer's beginning and ending eligibility dates to be reimbursed by the agency.

(3) The agency may extend this rebate requirement to any outpatient drug reimbursements as allowed or required by federal law.

(4) The agency may exempt drugs from the rebate requirement, on a case-by-case basis, when:

(a) It determines that the availability of a single source drug or innovator multiple source drug is essential to the health of beneficiaries; and

(b) All other rebate exemption requirements of SSA Sec. 1927 (42 U.S.C. 1396r-8)(3) are also satisfied.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 16-01-046, § 182-530-7500, filed 12/9/15, effective 1/9/16. WSR 11-14-075, recodified as § 182-530-7500, filed 6/30/11, effective 7/1/11. Statutory Authority: RCW 74.04.050, 74.08.090, 74.09.530, and 74.09.700. WSR 07-20-049, § 388-530-7500, filed 9/26/07, effective 11/1/07.]