

**WAC 182-530-7900 Drugs purchased under the Public Health Service (PHS) Act.**

(1) Providers registered and approved as PHS-qualified covered entities participate in the 340B program under their medicaid provider number or NPI listed on the quarterly medicaid exclusion file (MEF).

(2) PHS-qualified covered entities participating in the 340B program must follow federal and state 340B program requirements and applicable medicaid agency rules including, but not limited to, this chapter, chapters 182-501 and 182-502 WAC, and agency billing instructions.

(3) All claims submitted to Washington apple health through fee-for-service (FFS) or managed care for outpatient drugs purchased, dispensed, or administered by PHS-qualified covered entities participating in the 340B program:

(a) May be billed only by the PHS-qualified covered entity participating in the 340B program under their participating medicaid provider number or NPI listed in the quarterly medicaid exclusion file; and

(b) Are excluded from medicaid drug rebate invoicing. See WAC 182-530-7500 for information on the drug rebate program.

(4) With the exception of claim types identified in subsection (5) of this section, all drugs purchased, dispensed, or administered by a PHS-qualified covered entity participating in the 340B program must be billed at the actual acquisition cost (AAC) when submitted through FFS to the agency.

(5) Exceptions to the AAC billing requirement are only made for:

(a) Outpatient hospital claims paid under the enhanced ambulatory payment group (EAPG) methodology (see WAC 182-550-7000); and

(b) Ambulatory surgery claims paid under payment groups methodology.

(6) As part of participation in the 340B program, providers must submit a completed annual attestation form (HCA 13-0047) to the agency acknowledging that all claims for Washington apple health clients in both FFS and managed care are subject to all applicable 340B rules. Providers who fail to submit a completed attestation form to the agency may receive a compliance audit and be at risk of duplicate dis-counts.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 24-08-061, § 182-530-7900, filed 3/29/24, effective 5/1/24; WSR 21-08-021, § 182-530-7900, filed 3/29/21, effective 5/1/21; WSR 17-07-001, § 182-530-7900, filed 3/1/17, effective 4/1/17; WSR 16-01-046, § 182-530-7900, filed 12/9/15, effective 1/9/16. WSR 11-14-075, recodified as § 182-530-7900, 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, § 388-530-7900, filed 9/26/07, effective 11/1/07.]