

Comments regarding proposed INS 2704, Prescription prices for pharmacists and pharmacies

The following are comments from a member of the NH Coalition of Chain Drug Stores regarding the proposed rules:

We strongly believe that the definition of usual and customary may lead to ambiguity and it is important to avoid such issues regarding reimbursement. Therefore, we urge you to consider striking paragraph (c) of section 2703.04 in its entirety and replacing it with the following:

(c) For the purposes of this section, “usual & customary” will be defined as the price that an individual without a prescription drug coverage would pay for a given drug at a retail pharmacy.

Accordingly, we propose deleting paragraph (d) of section 2703.04.

Lastly, to conform with general practice, we believe that paragraph (e) of section 2703.04 should be amended to read the following:

(E) The health carrier ~~and any contracted pharmacy benefits manager~~ shall pay the full amount **of the patient contracted co-pay or the usual and customary price of the pharmacy, whichever is less** ~~finally agreed upon in settlement of a claim for pharmacy benefits.~~