

**MILLE LACS BAND OF OJIBWE
HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

Department: Health Services-Pharmacy

Policy Number: HHS-HS-PHM 1844

Policy Title: Prevention of Duplicate Discounts

Attachments:

Revision History: 9/27/2018

Revised by/Date: Jesse Godding 2/25/2020

Approved by:

Date:

Jesse Godding, Pharmacy Manager

4-21-2020

Approved by:

Date:

Nicole Anderson, Commissioner of HHS

4-22-2020

POLICY STATEMENT: The Mille Lacs Band of Ojibwe (MLBO) Indians doing business as Ne-Ia-Shing (NIS) Clinic has mechanisms in place to prevent duplicate discounts, as is required by 42 USC §256b(a)(5)(A)(i).

PURPOSE: To ensure MLBO is preventing duplicate discounts.

PROCEDURE: MLBO has elected to dispense 340B drugs to its Medicaid patients (carve in).

1. MLBO dispenses or administers 340B purchased drugs to Medicaid patients and subsequently bills Medicaid for those 340B drugs (carve-in).
 - a. MLBO has answered “yes” to the question, “Will the covered entity dispense 340B purchased drugs to Medicaid patients?” on the HRSA 340B OPAIS.
 - i. Ne-Ia-Shing Clinic
 - ii. Aazhoomog Clinic (Lake Lena)
 - iii. East Lake Clinic
 - iv. Four Winds Lodge Treatment Program
2. MLBO bills Medicaid thru ScriptPro software per state Medicaid reimbursement requirements.
 - a. Minnesota Medicaid BIN 610459
 - b. MLBO Minnesota Medicaid Billing Number 085753002
 - c. MLBO NPI 1982729364
 - d. Submit claims for 340B procured products to Minnesota Health Care Programs (MHCP) or the Managed Care Organization with a value of 20 in the Submission Clarification Code field 420-DK.
 - e. MHCP phone 651-431-2700 or 800-366-5411
 - f. MHCP email dhs.healthcare-providers@state.mn.us
3. MLBO regularly reviews its 340B OPAIS Medicaid Exclusion File records per 340B Program Compliance Monitoring and Reporting Policy.
4. MLBO regularly reviews its 340B OPAIS Medicaid Exclusion File records per MLBO’s 340B Compliance Monitoring and Reporting Policy.
5. Medicaid reimburses MLBO for 340B drugs per state policy and does not seek rebates on drug claims submitted by MLBO.
 - a. MHCP Pharmacy 340B Claim Reimbursement Rates
 - i. State Maximum Allowable Cost generic drugs = SMAC + \$3.65 dispensing fee

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- ii. Brand, specialty and non-SMAC drugs = Wholesale Acquisition Cost -40% + \$3.65
 - iii. Items not considered “covered outpatient drugs” by the Centers for Medicare & Medicaid Services (CMS) (for example, diabetic testing supplies, OTC vitamins) = Regular MHCP pharmacy payment rate
 - 1. WAC plus 2%, plus \$3.65 dispensing fee
 - 2. SMAC plus \$3.65 dispensing fee
 - 3. Diabetic testing supply rate
 - iv. Ne-Ia-Shing Clinic Pharmacy is a tribal site reimbursed at the IHS encounter rate as determined by the Minnesota Department of Human Services.
- b. FFS clinician-administered drugs = 80% regular MHCP allowable rate.

Internal and/or External References	Minnesota Department of Human Services online Minnesota Health Care Program Provider Manual-Pharmacy Services-340B Drug Pricing Program; 42 USC §256b(a)(5)(A)(i)
	HHS-HS-PHM 1846 340B Program Compliance Monitoring and Reporting Policy
Compliance - Posting Date	4/22/2020 <i>[Signature]</i>
Replaces – Policy Number	
Next Review - Due Date	4/22/2021