

## CMS Proposes Changes to Medicaid Drug Rebate Program



June 30, 2023

The Centers for Medicare & Medicaid Services (CMS) has proposed extensive changes to the Medicaid Drug Rebate Program. The [changes](#) primarily focus on drug misclassification, drug pricing, and product data misreporting by pharmaceutical manufacturers. Program integrity and administration changes affecting manufacturers would include limitations on the timeframe for manufacturers to initiate audits of state Medicaid plan drug rebate obligations, clarification on accumulating price concessions, and the establishment of drug price verification and transparency through data collection. CMS is aiming to enhance transparency in prescription drug costs by verifying reported prices through an annual Medicaid Drug Price Verification Survey. This transparency initiative and the disclosure of non-proprietary drug price information are intended to give state Medicaid agencies greater negotiating power with drug manufacturers, particularly for high-cost drugs.

[Click Here to read the entire June 2023 Healthcare Law Update now!](#)

For more information, contact:

**Carol Grelecki** | 973.403.3140 | [cgrelecki@bracheichler.com](mailto:cgrelecki@bracheichler.com)

**Caroline J. Patterson** | 973.403.3141 | [cpatterson@bracheichler.com](mailto:cpatterson@bracheichler.com)

**Vanessa Coleman** | 973.364.5208 | [vcoleman@bracheichler.com](mailto:vcoleman@bracheichler.com)

Attorney Advertising: This publication is designed to provide Brach Eichler LLC clients and contacts with information they can use to more effectively manage their businesses. The contents of this publication are for informational purposes only. Neither this publication nor the lawyers who authored it are rendering legal or other professional advice or opinions on specific facts or

matters. Brach Eichler LLC assumes no liability in connection with the use of this publication.