

2737.1400 MAXIMUM ALLOWABLE COST PRICING.

Subpart 1. **Maximum allowable cost price list.** A pharmacy benefit manager subject to Minnesota Statutes, section 62W.08, must make available to all pharmacies the pharmacy benefit manager has a contract with a version of the pharmacy benefit manager's maximum allowable cost price list that comports with the following requirements:

A. **Form.** Pharmacy benefit managers must allow pharmacies the pharmacy benefit manager contracts with to review the maximum allowable cost price list in electronic, print, or telephonic format.

B. **Electronic availability.** A pharmacy benefit manager must ensure that the electronically available maximum allowable cost price list is presented in a machine readable format, such as CSV, JSON, XML, or another commonly available digital format.

C. **Date updated.** The date the maximum allowable cost price list was last updated must be prominently displayed on both electronic and paper formats of the list and must be clearly announced via the telephonic format.

D. **Updated items.** A list must clearly identify prices that have changed.

Subp. 2. **Contracts.** A pharmacy benefit manager is prohibited from requiring a pharmacy to waive or modify Minnesota Statutes, section 62W.08, as a condition of inclusion in a network. Contract provisions related to appeal, investigation, and dispute resolution processes regarding maximum allowable cost pricing that are in addition to the requirements under Minnesota Statutes, section 62W.08, paragraph (c), clauses (1) to (3), are not a modification to Minnesota Statutes, section 62W.08.

Statutory Authority: *L 2019 c 39 s 20*

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