

HPMS E-Mail

Date: July 12, 2023

Subject: Medicare Part D Manufacturer Discount Program – 30-day Comment Period for Proposed Information Collection

Section 11201 of the Inflation Reduction Act of 2022, Public L. 117-169 (IRA) requires CMS to establish a new Part D manufacturer discount program beginning on January 1, 2025. Under section 1860D-14C of the Social Security Act, in order for their applicable drugs to be covered under Part D, pharmaceutical manufacturers will be required to enter into agreements with CMS to provide discounts on those drugs when dispensed to applicable beneficiaries during the initial and catastrophic coverage phases of the Part D benefit. The discounts are phased in for certain drugs of certain manufacturers.

On July 7, 2023, CMS posted a notice in the Federal Register (88 FR 43355) which announced the 30-day public comment period for the proposed information collection requirements associated with the new discount program. The information in the proposed collection is needed to set up agreements between manufacturers and CMS, to determine which manufacturers qualify as a specified manufacturer or specified small manufacturer for phased-in discounts, and to facilitate ACH transactions between manufacturers and plans.

CMS encourages interested parties to review the Federal Register notice for the proposed Medicare Part D Manufacturer Discount Program information collection (CMS-10846; OMB control no. 0938-NEW), which is published at: <https://www.govinfo.gov/content/pkg/FR-2023-07-07/pdf/2023-14306.pdf>. Comments must be received by August 7, 2023 to be considered, and must be submitted as described in the Federal Register notice. The supporting statement and related documentation are available at: <https://www.cms.gov/regulations-and-guidance/legislation/paperworkreductionactof1995/pra-listing/cms-10846>.