

Department of Health & Human Services
Centers for Medicare & Medicaid Services
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Baltimore, Maryland 21244-1850



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DATE: December 20, 2023

TO: Pharmaceutical Manufacturers

FROM: Vanessa S. Duran
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SUBJECT: Medicare Part D Manufacturer Discount Program: Release of Agreement Signature Functionality in the Health Plan Management System (HPMS)

Beginning January 1, 2025, CMS is implementing the Medicare Part D Manufacturer Discount Program (Discount Program), codified in sections 1860D-14C and 1860D-43 of the Social Security Act (the Act), under the program instruction authority in section 11201(f) of the Inflation Reduction Act of 2022 (P.L. 117-169) (IRA). On November 17, 2023, CMS issued the [Medicare Part D Manufacturer Discount Program Final Guidance](#).

Section 1860D-14C(a) of the Act requires CMS to enter into agreements with manufacturers under the Discount Program. As described in section 40 of the final guidance, in order for an applicable drug or a selected drug during a price applicability period to be covered under Part D beginning January 1, 2025, the FDA-assigned labeler code of such applicable drug or selected drug must be covered under a Discount Program agreement that is fully executed and in effect. The terms of the Discount Program agreement are discussed in detail in section 80.1 of the final guidance. As described in section 80.4 of the final guidance, participating manufacturers are also required to enter into an agreement with the third party administrator (TPA) CMS has engaged to facilitate Discount Program operations. **Under section 1860D-14C(b)(1)(C)(i) of the Act, in order for a Discount Program agreement to be in effect for 2025, the manufacturer must enter into the agreement no later than March 1, 2024.**

On December 18, 2023, CMS released the agreement functionality within the Manufacturer Discount Program module in HPMS so that manufacturers can review, sign, and download both their Discount Program and TPA agreements. As described in the November 17, 2023 CMS memorandum entitled, "[Instructions for Submitting Required Ownership Information for the Medicare Part D Manufacturer Discount Program; Opportunity to Receive Preliminary Information About Status as a Specified Manufacturer and Specified Small Manufacturer](#)," only signatory drug manufacturer users may complete required attestations and signatures in the module. Before manufacturers can sign the agreements, all required ownership data must be submitted in the Manufacturer Discount Program module.

The deadline for all participating manufacturers to sign the Discount Program agreements is **11:59 p.m. PST on March 1, 2024**. CMS does not have authority to extend this deadline; therefore, manufacturers that want to participate in the Discount Program in 2025 should be proactive in checking their HPMS access, particularly signatory user access, and ensuring all required information is entered in HPMS and updated as needed, and the agreements are reviewed and signed in advance of the deadline.

Additional Resources

As a reminder, prior to signing the Discount Program and TPA agreement, manufacturers must submit and attest to the required ownership information. Manufacturers that have already submitted the required ownership information in HPMS do not need to resubmit unless there has been a change in the information. Refer to the November 17, 2023 CMS memorandum entitled, [“Instructions for Submitting Required Ownership Information for the Medicare Part D Manufacturer Discount Program; Opportunity to Receive Preliminary Information About Status as a Specified Manufacturer and Specified Small Manufacturer”](#) for instructions regarding submitting and attesting to required ownership information in the module. Additional resources, including instructions on how to request a P number (for manufacturers that do not already have one), are available in the Downloads section on CMS’ webpage: [Part D Information for Pharmaceutical Manufacturers](#). Instructions on how to establish HPMS access and signatory access are included in the May 4, 2023 HPMS memo entitled [“Instructions for Requesting Drug Manufacturer Access in the Health Plan Management System \(HPMS\)”](#). On average, HPMS user ID requests require 3-5 days to complete, and signatory user access requires additional steps.

The HPMS Manufacturer Discount Program User Guide (found under the Documentation tab in the Manufacturer Discount Program module) contains step-by-step instructions, including how to navigate the module; how to enter, edit, and save required information; how to submit the required ownership data; and how to review and sign the Discount Program agreements.

Contact Information

Questions about this memorandum or the Discount Program may be submitted to PartDManufacturerDiscountProgram@cms.hhs.gov.

Questions about HPMS signatory access should be directed to HPMSConsultantAccess@cms.hhs.gov.

For technical assistance with HPMS, contact the HPMS Help Desk at either hpms@cms.hhs.gov or 1-800-220-2028.