

PROGRAM DESCRIPTION

Department: Social Services

HB Section(s): 11.700

Program Name: Pharmacy Clawback

Program is found in the following core budget(s): Pharmacy Clawback

1a. What strategic priority does this program address?

Access to safe and effective medications

1b. What does this program do?

The Medicare Prescription Drug, Improvement, and Modernization Act (MMA) of 2003 required that all individuals who are eligible for both Medicare and Medicaid, also known as dual eligibles, receive their prescription drugs through the Medicare Part D program. This change resulted in a significant shift in benefits for elderly and disabled dual eligible participants because they receive their drugs through a prescription drug plan (PDP) rather than through the state's MO HealthNet program. States are required to make a monthly payment to the federal government in lieu of the money that the states would have spent on providing prescription drugs to participants in the MO HealthNet program.

The federal government refers to this payment as the Phased-Down State Contribution, also referred to as Clawback. This Clawback payment is a funding source for the Medicare Part D program.

PAYMENT METHODOLOGY

The Clawback consists of a monthly calculation based on the combination of (a) the state's per capita spending on prescription drugs in 2003, (b) the state's federal Medicaid match rate, (c) the number of dual eligibles residing in the state, and (d) a Phase-Down percentage of state savings to be returned to the federal government, which began with 90% in CY 2006 and phased down to the current floor of 75% in CY 2015. The Clawback rate for each state, as identified by the Centers for Medicare and Medicaid Services (CMS), is multiplied by the number of dual eligibles in each state in order to determine the monthly payment due. The Clawback assessment is paid one month in arrears.

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Rate History

Below is a chart showing the historical rates MO HealthNet paid to the federal government. Rates are adjusted each January by CMS, and adjusted again in October to account for changes in Missouri Federal Medical Assistance Percentages (FMAP) rates. In October CMS announces rates for the following January through September time period, and announces the FMAP-adjusted rates once FMAP rates are finalized.

	Clawback Rate	Change
Jan-Sept 23	\$169.55	\$31.56
Oct-Dec 22	\$137.99	\$8.27
Jan-Sept 22	\$129.72	\$8.84
Oct-Dec 21	\$120.88	(\$6.17)
Jan-Sept 21	\$127.05	\$3.52
Oct-Dec 20	\$123.53	\$2.95
Jan-Sept 20	\$120.58	(\$19.27)
Oct-Dec 19	\$139.85	(\$1.01)
Jan-Sept 19	\$140.86	\$2.68
Oct-Dec 18	\$138.18	(\$3.16)
Jan-Sept 18	\$141.34	\$1.71
Oct-Dec 17	\$139.63	(\$5.53)
Jan-Sept 17	\$145.16	\$15.47
Oct-Dec 16	\$129.69	\$0.25
Jan-Sept 16	\$129.44	\$13.47
Oct-Dec 15	\$115.97	\$0.54
Jan-Sept 15	\$115.43	\$1.58

The rate was adjusted at the federal level due to Covid-19.

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This program is exempt from performance measures as it is a mandated payment to the federal government.

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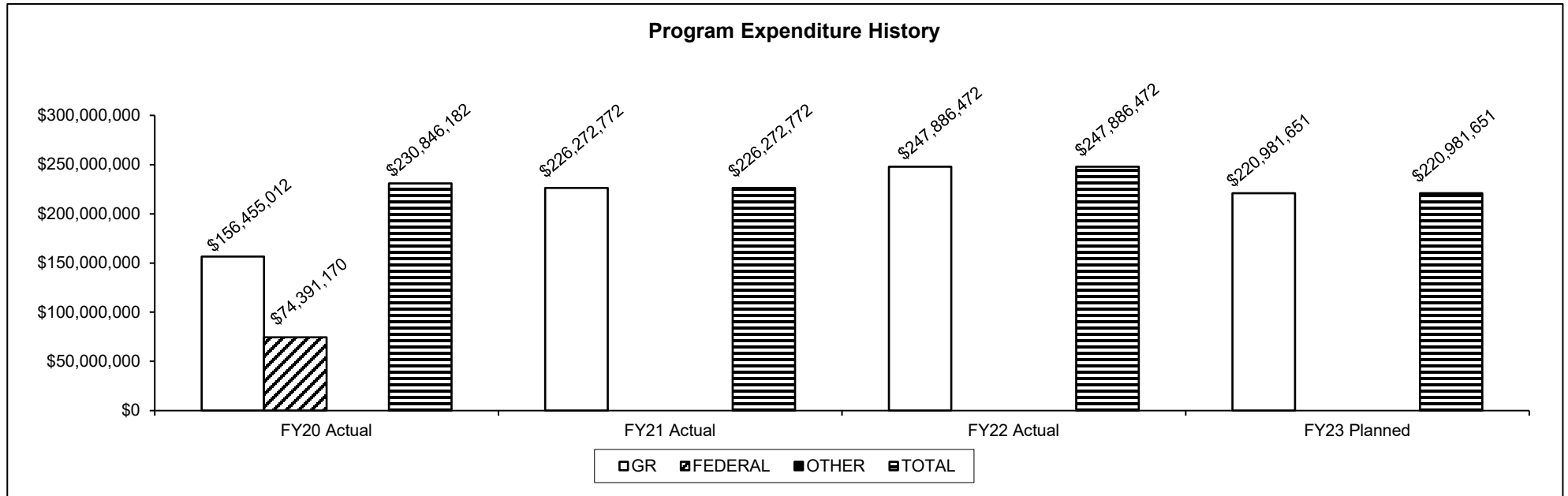
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3. Provide actual expenditures for the prior three fiscal years; planned expenditures for the current fiscal year. (Note: Amounts do not include fringe benefit costs.)



4. What are the sources of the "Other " funds?

N/A

5. What is the authorization for this program, i.e., federal or state statute, etc.? (Include the federal program number, if applicable.)

Federal law: Medicare Prescription Drug Improvement and Modernization Act (MMA) of 2003, P.L. 108-173.

6. Are there federal matching requirements? If yes, please explain.

No.

7. Is this a federally mandated program? If yes, please explain.

Yes. All States, including Missouri, are required to make a monthly payment to the federal government to re-direct the money that the states would have spent on providing prescription drugs to participants in MO HealthNet.