



News Release

PO Box 360, Trenton, N.J. 08625-0360

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Commissioner

For Release:
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DHSS Proposes to Readopt with Amendments N.J.A.C. 8:83D, Governing the Senior Gold Prescription Program Manual and N.J.A.C. 8:83E, Governing the Provision of Pharmaceutical Services Under the Senior Gold Program

The Division of Senior Benefits and Utilization Management in the Senior Services and Health Systems Branch of the Department of Health and Senior Services (Department) is proposing to readopt with amendments N.J.A.C. 8:83D, Senior Gold Prescription Program Manual and N.J.A.C. 8:83E, Provision of Pharmaceutical Services Under the Senior Gold Program. The notice of proposal appears in the December 18, 2006 issue of the *New Jersey Register*.

N.J.A.C. 8:83D and N.J.A.C. 8:83E establish requirements for beneficiary eligibility and provision of pharmaceutical services for the Senior Gold Prescription Discount Program (Program), respectively. The purpose of the chapters is to establish policies and procedures with regard to the eligibility for the Program, which is intended to extend assistance to certain persons whose level of income disqualifies them for benefits and medical assistance under the New Jersey Medical Assistance and Health Services Act (N.J.S.A. 30:4D-1 et seq.) and for prescription benefits under the Pharmaceutical Assistance to the Aged and Disabled (PAAD) Act (N.J.S.A. 30:4D-20 et seq.) but who have significant needs for more affordable prescription drugs.

The Department is proposing substantive and technical amendments throughout the chapters. Noteworthy substantive amendments include the following:

The Department proposes amendments at N.J.A.C. 8:83D-2.1, N.J.A.C. 8:83E-1.2, and N.J.A.C. 8:83E-1.5 to reflect that pharmacy reimbursement rates have been updated pursuant to the Fiscal Year 2007 Appropriations Act, P.L. 2006, c.45. The Department also proposes to amend the definition of maximum allowable cost (MAC) at N.J.A.C. 8:83E-1.5(b)1i to establish that the MAC price is published by the Centers for Medicare and Medicaid Services (CMS) and updated in accordance with the Deficit Reduction Act of 2005, Pub. L. 109-171, effective February 8, 2006. The Department proposes to amend N.J.A.C. 8:83D-4.4(c), N.J.A.C. 8:83E-1.2, and N.J.A.C. 8:83E-1.19(a)5 and 6, (b), and (c) to require prior authorization for Program payment for a brand name drug when a less costly generic equivalent is available.

The public has until February 16, 2007 to comment on the notice of proposal. Persons wishing to comment on the proposal must submit their comments in writing to Kathleen Mason, Assistant Commissioner, Senior Services and Health Systems Branch, Department of Health and Senior Services, PO Box 715, Trenton, NJ 08625-0715. Written comments on the proposal must be postmarked on or before February 16, 2007, which is the close of the 60-day public comment period.

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