

Nebraska Pharmacies ONLY – Notice Regarding MAC Appeals Requirements

New Laws Regarding MAC Appeals Effective January 1, 2023

General Background

Prime's Maximum Allowable Cost (MAC) team works hard every day to provide prompt responses to pharmacy questions and concerns regarding pricing. Prime will continue to provide our pharmacy partners with quick responses and resolutions in the normal course of business.

In 2022, the Nebraska Legislature passed LB 767 which focused on requirements for pharmacy benefit managers effective **January 1, 2023**. Specifically, the new law requires pharmacy benefit managers to provide pharmacies with its process relating to the appeal, investigation, and resolution of disputes regarding any MAC price.

Prime's MAC appeals process includes, but is not limited to:

- (1) A fifteen (15) business-day limit on the right to appeal following submission of an initial claim by a pharmacy
- (2) Any MAC appeal must be investigated and resolved within seven (7) business days after the appeal is received by Prime
- (3) Providing a reason for any denial of an appeal and identify the national drug code for the drug that may be purchased by the pharmacy at a price at or below the price on the MAC price list as determined by Prime.
- (4) Prime will make an adjustment in drug price no later than one day after the appeal is resolved (if an appeal is determined to be valid by Prime)
- (5) The appealing pharmacy is permitted to reverse and rebill the claim in question, using the date of the original claim.

What does this mean to you as a pharmacy?

Pharmacies should continue to submit MAC Appeals as outlined in their respective participation contract and detailed in Prime's Provider Manual.

