



STATE OF MAINE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BUREAU OF MEDICAL SERVICES  
#11 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0011

JOHN ELIAS BALDACCI  
GOVERNOR

JOHN R. NICHOLAS  
COMMISSIONER

February 15, 2005

Dear Manufacturer:

The purpose of this letter is to inform you that the State of Maine is reopening negotiations for its State Preferred Drug List. This will be the third year of PDL operation and the contracts will be effective July 1, 2005. The State is thankful for the collaboration shown by most manufacturers to date and hopes that these partnerships will continue in the future.

It is also important for you to be aware that Maine is in the process of assembling a multi-state PDL pool. This group will include other State Medicaid programs and for some states, a variety of non-Medicaid lives (state employees, hospitals, prisons, state-only drug benefits etc...). If and when permission is sought and obtained from CMS, negotiations will begin for the multi-state pool. This effort would then supersede the Maine PDL.

Since the PDL contract year turns over June 30<sup>th</sup> and the PDL must continue to operate smoothly, it will be necessary to conduct negotiations for the 3<sup>rd</sup> year of operations now, even though a multi-state pool effort may soon occur.

Please go to <https://rodan.ghsinc.com>, enter SupRebate in the box and click go there to complete and submit the Supplemental Rebate Offer spreadsheet. The State has established a deadline of Noon EST March 9th, 2005, for you to submit your completed, initial Supplemental Rebate Offer. Offers received after that date will not be considered until the next annual open offer period. The only potential exceptions will be for new products subsequently entering the market. Manufacturers that have submitted timely, valid offers will receive notices tentative of acceptance, rejection or counteroffers no later than Noon EST March 15th, 2005. If a company wishes to improve a rejected offer or respond to a counteroffer, it must do so by Noon EST on March 18<sup>th</sup>, 2005. Any bidders in PDL categories affected by improved offers will then be notified by Noon EST, March 22<sup>nd</sup>, 2005, and allowed to submit a best and final offer. All best and final offers (BAFO) must be received by Noon EST, March 23<sup>rd</sup>, 2005. For products affected by BAFO's, the tentative notice of disposition will occur Noon EST, March 24<sup>th</sup>, 2005. The DUR Committee will then evaluate the draft PDL. You will have the opportunity to present clinical and pharmaco-economic data on your products at that time. The DUR Committee recommendations will be presented to the State. Once these final deliberations and modifications have occurred, the State will enter into supplemental rebate contracts with willing manufacturers. The PDL will become effective July 1, 2005.

Submitting a Supplemental Rebate Offer does not guarantee that your product(s) will be placed on the Preferred Drug List (PDL), and the lack of a Supplemental Rebate Offer does not necessarily mean that your product will not be placed on the PDL. It is also

important to emphasize that offers will only be reviewed from companies that are currently in good standing with respect to rebate payments.

There will **not** be any meetings with manufacturers to discuss the bids submitted prior to the DUR Committee Meetings, which will be held at BMS:

- April 12, 1-9 pm for psychiatric drug classes and
- April 13, 1-9 pm for non-psychiatric drug classes.

Any questions or statements will be addressed at that time.

This is an important opportunity for your company. Any questions regarding how to submit bids may be directed to [MESRINFO@ghsinc.com](mailto:MESRINFO@ghsinc.com) via email.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bruce McClenahan', with a long horizontal flourish extending to the right.

Bruce McClenahan  
Pharmacy Unit Manager  
Bureau of Medical Services