

(Effective June 10, 2024)

WAC 182-52-0045 Prescription drug affordability board—Drug publication and conducting affordability reviews. Drugs selected for an affordability review are published on the board's website before initiating the affordability review.

(1) When conducting an affordability review, the board will consider:

(a) The relevant factors contributing to the price paid for the prescription drug, including the wholesale acquisition cost, discounts, rebates, and other price concessions;

(b) The average out-of-pocket cost for the drug;

(c) The effect of the price on consumers' access to the drug in the state;

(d) Orphan drug status;

(e) The dollar value and accessibility of patient assistance programs offered by the manufacturer for the drug;

(f) The price and availability of therapeutic alternatives;

(g) Input from:

(i) Patients affected by the condition or disease treated by the drug; and

(ii) Individuals with medical or scientific expertise related to the condition or disease treated by the drug;

(h) Any other information the drug manufacturer or other relevant entity chooses to provide; and

(i) The impact of pharmacy benefit manager policies on the price consumers pay for the drug.

(2) In performing an affordability review of a drug the board may consider the following factors:

(a) Life-cycle management;

(b) The average cost of the drug in the state;

(c) Market competition and context;

(d) Projected revenue;

(e) Off-label usage of the drug; and

(f) Any additional factors identified by the board.

(3) All information collected by the board or the authority under this section is not subject to public disclosure under chapter 42.56 RCW.

[Statutory Authority: RCW 41.05.021, 41.05.160, chapter 70.405 RCW, and 2022 c 153. WSR 24-02-078, § 182-52-0045, filed 1/2/24, effective 6/10/24.]