

Subject: Notification of Change to Previous Email

Good Afternoon,

We emailed, on March 30, 2009, a notification that several Ferrex products were being deleted from the CMS database. The labeler, Breckenridge had notified CMS that the products were supplements and therefore, not eligible for inclusion in the rebate program. After further review, however, we have determined that these NDCs do meet the definition of a covered outpatient drug. As a result, the following NDCs remain eligible for coverage under the Medicaid Drug Rebate Program and should be restored/added to your Medicaid Drug Rebate system.

We apologize for any inconvenience that this may cause.

51991-

0182, Ferrocite Plus Tablets

0198, Ferrex 150 Forte Capsules

0682, Ferrocite Plus Capsules

0798, Ferrex 150 Forte Plus Capsules

Sincerely,

CMS MDR Operations

The decision in this response is limited to and based upon the facts described in this response and our understanding of the facts as described in the submission. This response cannot be considered an advisory opinion under section 1128D(b) of the Social Security Act, since only the Department's Inspector General has been authorized to issue advisory opinions relating to health care fraud and abuse under that section. This response is not a release of liability