

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-14-26
Baltimore, Maryland 21244-1850



Center for Medicaid and CHIP Services

Disabled and Elderly Health Programs Group

December 5, 2011

TO: Drug Rebate State Technical Contacts
FROM: Medicaid Drug Rebate Program
SUBJECT: Deleted Product--Immediate Action Required

The Centers for Medicare & Medicaid Services (CMS) has determined that the following NDC is an over-the-counter dietary supplement; therefore, the NDC does not meet the definition of a covered outpatient drug as set forth in Section 1927(k)(2) of the Social Security Act. As a result, the product is no longer eligible for inclusion in the Medicaid Drug Rebate Program (MDRP) or eligible for FFP as a covered outpatient drug. The product that is no longer rebate-eligible is:

NDC	Product Name
00259-0351	Eldertonic Multivitamin Mineral Supplement

Consequently, this NDC should be deleted from your State Medicaid Drug Rebate system as of the date of this notice. The labeler of this product is responsible for paying rebates on this NDC for any State utilization that occurred prior to the date of this notice. In addition, States should be aware that the fourth quarter 2011 rebate file will be the last quarterly file that will include this NDC in order to facilitate rebate billing for such utilization.

States are reminded that this product is no longer eligible for FFP as a covered outpatient drug nor does it qualify for coverage under the MDRP. However, please note that although this product is not eligible for Medicaid coverage or FFP under the MDRP, it may be eligible for Medicaid coverage or FFP as part of home health services, EPSDT services as defined in section 1905(r)(5) of the Social Security Act, or as other covered items and services to the extent that such coverage is consistent with the approved State plan.