

**Title 13--DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 20--Pharmacy Program**

PROPOSED AMENDMENT

13 CSR 70-20.045 [Thirty-One-] Maximum Day Supply [Maximum Restriction]/Limit on [Pharmacy Services] Prescriptions Reimbursed by the MO HealthNet Division. The Department of Social Services is amending the title, purpose statement, and sections (1), (2), (3), (4), and (5).

PURPOSE: The purpose of this is to simplify existing language and clarify information for providers.

*PURPOSE: This rule establishes a thirty-one- (31-) day supply maximum restriction per dispensing on [pharmacy services] **prescriptions** reimbursed by the MO HealthNet Division (MHD). [on behalf of participants eligible for any of the fee-for-service programs.]*

PUBLISHER’S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) The maximum days’ supply *[of medication that may be provided per dispensing]* for **prescriptions dispensed** on behalf of a participant eligible for any *[of the]* fee-for-service programs is a **maximum of** thirty-one (31) days, except for those *[drugs and/or categories]* **prescriptions** under the provisions of this rule. *[Medication may be dispensed]* **MHD providers may dispense prescriptions** in quantities less than a thirty-one- (31-) day supply[,] if *[so]* ordered by the prescriber, except as specified elsewhere in this rule.

(2) *[Drugs and/or categories of medications]* **Prescriptions** that are exempt from the thirty-one- (31-) day supply *[limitation]* **limit** and therefore may be dispensed in quantities exceeding a thirty-one- (31-) day supply are made available in the *[MO HealthNet] MHD Pharmacy Manual* [, section 13.6.D(1)]. The *[MO HealthNet] MHD Pharmacy Manual* is incorporated by reference in this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, *[at its website <http://manuals.momed.com/manuals/October 2, 2020>]* **April 15, 2024**. This rule does not incorporate any subsequent amendments or additions. The division reserves the right to effectuate changes in the list of *[drugs]* **prescriptions** and *[/or]* categories *[of medications that are]* exempt from the thirty-one- (31-) day supply *[limitation]* **limit** by amending this rule.

(3) All spend down participants are exempt from the *[MO HealthNet] MHD* thirty-one- (31-) day supply *[maximum restriction]* **limit** on pharmacy services.

(4) Exemptions from the thirty-one- (31-) day supply [*limitation*]/**limit** may be given with prior authorization by the [*MO HealthNet Division*] **MHD** to prevent a higher level of care.

(5) [*Drugs and/or categories of medications*] **Prescriptions** identified by 13 CSR 70-20.047 are exempt from the thirty-one- (31-) day supply [*limitation*]/**limit**.

AUTHORITY: sections 208.153, 208.201, and 660.017, RSMo 2016, and section 208.152, RSMo Supp. 2020.* Emergency rule filed Nov. 21, 2000, effective Dec. 1, 2000, expired May 29, 2001. Original rule filed June 29, 2000, effective Feb. 28, 2001. Amended: Filed Dec. 5, 2000, effective June 30, 2001. Amended: Filed April 18, 2018, effective Nov. 30, 2018. Amended: Filed Jan. 15, 2021, effective July 30, 2021. *Original authority: 208.152, RSMo 1967, amended 1969, 1971, 1972, 1973, 1975, 1977, 1978, 1978, 1981, 1986, 1988, 1990, 1992, 1993, 2004, 2005, 2007, 2011, 2013, 2014, 2015, 2016, 2018; 208.153, RSMo 1967, amended 1973, 1989, 1990, 1991, 2007, 2012; 208.201, RSMo 1987, amended 2007; and 660.017, RSMo 1993, amended 1995. Amended: Filed October 23, 2024

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*