



## **PB 122 of 2020**

# **Commonwealth price (Pharmaceutical benefits supplied by approved pharmacists) Amendment Determination 2020**

*National Health Act 1953*

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The Pharmaceutical Benefits Remuneration Tribunal makes this Determination under paragraph 98B(1)(a) of the *National Health Act 1953*.

Dated 2 December 2020

ABBEYGAIL BEAUMONT  
Chairperson  
for and on behalf of the  
Pharmaceutical Benefits Remuneration Tribunal

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## 1 Name

- (1) This instrument is the *Commonwealth Price (Pharmaceutical benefits supplied by approved pharmacists) Amendment Determination 2020*.
- (2) This instrument may also be cited as PB 122 of 2020.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. The whole of this instrument	1 January 2021.	1 January 2021.

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under paragraph 98B(1)(a) of the *National Health Act 1953*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### *Commonwealth Price (Pharmaceutical benefits supplied by approved pharmacists) Determination 2020*

#### 1 Part 2, section 11 (Ready-prepared pharmaceutical benefits - wholesale mark-up)

omit:

- (6) If the *ex-manufacturer* price for the relevant quantity of the brand of the pharmaceutical item is less than, or equal to, \$930.06, then the price to pharmacists for the pack quantity of the brand of the pharmaceutical item is the amount worked out as follows:

$$PTP = AEMP \text{ or } PEMP \times 1.0752$$

where:

***PTP*** means the price to pharmacists for the pack quantity.

***AEMP or PEMP*** means the approved ex-manufacturer price or the proportional ex-manufacturer price for the pack quantity.

- (7) If:

- (a) the ex-manufacturer price for the relevant quantity of the brand of the pharmaceutical item is more than \$930.06; and
- (b) the relevant quantity and the pack quantity of the brand of the pharmaceutical item are the same;

then the price to pharmacists for the pack quantity of the brand of the pharmaceutical item is the amount worked out as follows:

$$PTP = AEMP \text{ or } PEMP + \$69.94$$

where:

***PTP*** means the price to pharmacists for the pack quantity.

***AEMP or PEMP*** means the approved ex-manufacturer price or the proportional ex-manufacturer price for the pack quantity.

- (8) If:

- (a) the ex-manufacturer price for the relevant quantity of the brand of the pharmaceutical item is more than \$930.06; and
- (b) the relevant quantity and the pack quantity of the brand of the pharmaceutical item are not the same;

then the price to pharmacists for the pack quantity of the brand of the pharmaceutical item is the amount worked out as follows:

$$PTP = AEMP \text{ or } PEMP + (\$69.94 \times (PQ/RQ))$$

where:

***PTP*** means the price to pharmacists for the pack quantity.

***AEMP or PEMP*** means the approved ex-manufacturer price or the proportional ex-manufacturer price for the pack quantity.

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**PQ** means the pack quantity of the brand of the pharmaceutical item.

**RQ** means the relevant quantity of the brand of the pharmaceutical item.

substitute:

(6) If:

- (a) the ex-manufacturer price for the relevant quantity of the brand of the pharmaceutical item is less than, or equal to, \$5.50; and
- (b) the relevant quantity and the pack quantity of the brand of the pharmaceutical item are the same;

then the price to pharmacists for the pack quantity of the brand of the pharmaceutical item is the amount worked out as follows:

$$PTP = AEMP \text{ or } PEMP + \$0.41$$

where:

**PTP** means the price to pharmacists for the pack quantity.

**AEMP or PEMP** means the approved ex-manufacturer price or the proportional ex-manufacturer price for the pack quantity.

(7) If:

- (a) the ex-manufacturer price for the relevant quantity of the brand of the pharmaceutical item is less than, or equal to, \$5.50; and
- (b) the relevant quantity and the pack quantity of the brand of the pharmaceutical item are not the same;

then the price to pharmacists for the pack quantity of the brand of the pharmaceutical item is the amount worked out as follows:

$$PTP = AEMP \text{ or } PEMP + (\$0.41 \times (PQ/RQ))$$

where:

**PTP** means the price to pharmacists for the pack quantity.

**AEMP or PEMP** means the approved ex-manufacturer price or the proportional ex-manufacturer price for the pack quantity.

**PQ** means the pack quantity of the brand of the pharmaceutical item.

**RQ** means the relevant quantity of the brand of the pharmaceutical item.

(8) If the ex-manufacturer price for the relevant quantity of the brand of the pharmaceutical item is more than \$5.50, but less than or equal to \$720.00; then the price to pharmacists for the pack quantity of the brand of the pharmaceutical item is the amount worked out as follows:

$$PTP = AEMP \text{ or } PEMP \times 1.0752$$

where:

**PTP** means the price to pharmacists for the pack quantity.

**AEMP or PEMP** means the approved ex-manufacturer price or the proportional ex-manufacturer price for the pack quantity.

- (9) If:
- (a) the ex-manufacturer price for the relevant quantity of the brand of the pharmaceutical item is more than \$720.00; and
  - (b) the relevant quantity and the pack quantity of the brand of the pharmaceutical item are the same;

then the price to pharmacists for the pack quantity of the brand of the pharmaceutical item is the amount worked out as follows:

$$PTP = AEMP \text{ or } PEMP + \$54.14$$

where:

**PTP** means the price to pharmacists for the pack quantity.

**AEMP or PEMP** means the approved ex-manufacturer price or the proportional ex-manufacturer price for the pack quantity.

- (10) If:
- (a) the ex-manufacturer price for the relevant quantity of the brand of the pharmaceutical item is more than \$720.00; and
  - (b) the relevant quantity and the pack quantity of the brand of the pharmaceutical item are not the same;

then the price to pharmacists for the pack quantity of the brand of the pharmaceutical item is the amount worked out as follows:

$$PTP = AEMP \text{ or } PEMP + (\$54.14 \times (PQ/RQ))$$

where:

**PTP** means the price to pharmacists for the pack quantity.

**AEMP or PEMP** means the approved ex-manufacturer price or the proportional ex-manufacturer price for the pack quantity.

**PQ** means the pack quantity of the brand of the pharmaceutical item.

**RQ** means the relevant quantity of the brand of the pharmaceutical item.

## 2 Part 2, Section 12(1)(a) (table)

repeal the table

substitute:

AHI Tier	Price to pharmacists for maximum quantity	Administration, handling and infrastructure fee for maximum quantity
1	< \$100	\$4.28
2	≥ \$100, ≤ \$2 000	\$4.28 + 5% of the amount by which the price to pharmacists for maximum quantity exceeds \$100
3	> \$2 000	\$95.00 + Tier 1 AHI Fee



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### 3 Part 3, Section 20 (table)

repeal the table

substitute:

<b>AHI Tier</b>	<b>Price to pharmacists for maximum quantity</b>	<b>Administration, handling and infrastructure fee</b>
1	< \$100	\$4.28
2	$\geq \$100, \leq \$2\,000$	\$4.28 + 5% of the amount by which the price to pharmacists for maximum quantity exceeds \$100
3	> \$2 000	\$95.00 + Tier 1 AHI Fee