

PB 122 of 2020

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

*National Health Act 1953*

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

Dated 2 December 2020

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|  | ABBEYGAIL BEAUMONT Chairpersonfor 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.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 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Note: This table relates only to the provisions of this instrument as originally made.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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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 or PEMP x 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 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 or PEMP + ($69.94 x (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.

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 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 or PEMP + ($0.41 x (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 or PEMP x 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 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 or PEMP + ($54.14 x (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 |

3 Part 3, Section 20 (table)

repeal the table

substitute:

| AHI Tier | Price to pharmacists for maximum quantity | Administration, handling and infrastructure fee |
| --- | --- | --- |
| 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 |