

program implementation. For covered entities that wish to utilize contracted pharmacy services to dispense section 340B outpatient drugs, the Office of Drug Pricing is proposing a contracted pharmacy service agreement between the covered entity and the pharmacy which would include the following provisions:

(a) The covered entity will purchase the drug. A "ship to-bill to" procedure may be used in which the covered entity purchases the drug, the manufacturer bills the covered entity for the drugs that it purchased but ships the drugs directly to the contracted pharmacy.

(b) The contractor will provide all pharmacy services (e.g., dispensing, record keeping, drug utilization review, formulary maintenance, patient profile, counseling). Each facility which purchases its covered outpatient drugs has the option of individually contracting for pharmacy services with the pharmacy of its choice. The limitation of one pharmacy contractor per facility does not preclude the selection of a pharmacy contractor with multiple pharmacy sites, as long as only one site is used for the contracted services. [The Office of Drug Pricing will be evaluating the feasibility of permitting these facilities to contract with more than one site and contractor.]

(c) If the patient does not elect to use the contracted service, the patient may obtain the prescription from the pharmacy provider of his/her choice.

(d) The contractor may provide the covered entity services, other than pharmacy, at the option of the covered entity (e.g., home care, reimbursement services).

(e) The contractor and the covered entity will adhere to all Federal, State, and local laws and requirements. Additionally, all PHS grantees will adhere to all rules and regulations established by the grant funding office.

(f) The contractor will provide the covered entity quarterly financial statements, a detailed status report of collections, and a summary of receiving and dispensing records.

(g) The contractor will establish and maintain a tracking system suitable to prevent diversion of section 340B discounted drugs to individuals who are not patients of the covered entity.

(h) Both parties agree that they will not resell or transfer a drug purchased at section 340B pricing to an individual who is not a patient of the covered entity. See section 340B(a)(5)(B). If a contract pharmacy is found to have violated this prohibition, the pharmacy will pay the entity the amount of the discount in question so that the entity can reimburse the manufacturer.

(i) A covered entity using contracted pharmacy services will not use drugs purchased under section 340B to dispense Medicaid prescriptions unless the contract pharmacy and the state Medicaid agency have established an arrangement which will prevent duplicate discounts/rebates.

(j) Both parties understand that they are subject to audits (by the PHS and participating manufacturers) of records that directly pertain to the entity's compliance with the drug resale or transfer prohibition and the prohibition against duplicate Medicaid rebates and PHS discounts. See section 340B(a)(5).

(k) Upon request, a copy of this contracted pharmacy service agreement will be provided to a participating manufacturer which sells covered outpatient drugs to the covered entity. All confidential proprietary information may be deleted from the document.

Covered entities which elect to utilize this contracted pharmacy mechanism must submit to the Office of Drug Pricing a certification that they have signed an agreement with the contracted pharmacy containing the aforementioned provisions.

Dated: August 18, 1995.

Ciro V. Sumaya,

*Administrator, Health Resources and Services Administration.*

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-3971-N-02]

### The Performance Review Board

**AGENCY:** Department of Housing and Urban Development.

**ACTION:** Notice of appointments.

**SUMMARY:** The Department of Housing and Urban Development announces the appointments of Linda S. Reid and Karen A. Miller as members of the Departmental Performance Review Board. The address is: Department of Housing and Urban Development, Washington, DC 20410.

**FOR FURTHER INFORMATION CONTACT:** Persons desiring any further information about the Performance Review Board and its members may contact Earnestine Pruitt, Deputy Director, Executive Personnel Management Division, Department of Housing and Urban Development, Washington, DC 20410, telephone (202) 708-1381. (This is not a toll free number.)

Dated: October 25, 1995.

Dwight P. Robinson,

*Acting Deputy Secretary, Department of Housing and Urban Development.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Notice of Intent To Prepare an Environmental Impact Statement for a Proposed Lease To Construct and Operate an Integrated Waste Management Facility on the Cortina Indian Rancheria, Colusa County, CA

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Intent and Public Scoping Meeting.

**SUMMARY:** This notice advises the public that the Bureau of Indian Affairs, in cooperation with the Cortina Indian Rancheria of Wintun Indians, intends to prepare an Environmental Impact Statement (EIS) for a proposed lease to construct and operate an integrated waste management facility on the Cortina Rancheria of the Cortina Band of Wintun Indians in Colusa County, California. A description of the proposed project, location, and environmental issues to be addressed in the EIS are provided below (supplementary information). In addition to this notice, a public meeting will be held to describe the proposed action and to receive public comments regarding the scope of the EIS. The public will be invited to participate in the scoping process, review of the draft EIS, and a public meeting.

This notice is published in accordance with the National Environmental Policy Act (NEPA) regulations found in 40 CFR 1501.7. The purpose of this notice is to solicit suggestions and information from other agencies and the public on the scope of issues to be addressed in the EIS. Comments and participation in this scoping process are encouraged.

**DATES:** Comments should be received by November 29, 1995. A public scoping meeting will be held on November 16, 1995.

**ADDRESSES:** Comments should be addressed to Mr. Ronald Jaeger, Area Director, Sacramento Area Office, 2800 Cottage Way, Room W-2550, Sacramento, California 95825. A public scoping meeting will be held on November 16, 1995, at 7:30 p.m. at the Cortina Indian Rancheria Satellite Office