

State of Kansas
Kansas Department of Health and Environment
Division of Health Care Finance
Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan. Kansas Medicaid has received the Centers for Medicare and Medicaid Services (CMS) approval to enter into agreements with drug/product manufacturers, regarding rebates tied to drug effectiveness benchmarks, collectively called Outcomes-Based Agreement (OBA). An Outcomes-Based Agreement with an Amendment form is being added.

The proposed effective date for the State Plan Amendment (SPA) is January 1, 2025.

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2025	\$ 0
FFY 2026	\$ 0

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact William C. Stelzner by email at william.stelzner@ks.gov , or by mail:

William C. Stelzner
Kansas Department of Health and Environment
Division of Health Care Finance
900 SW Jackson, Room 900N
Topeka, KS 66612.

The last day for public comment is January 13, 2025.

Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

Christine Osterlund
Medicaid Director
Deputy Secretary of Agency Integration and Medicaid
Division of Health Care Finance
Kansas Department of Health and Environment

KANSAS MEDICAID STATE PLAN

Attachment 3.1-A
#12.a.,
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Outcomes-Based Agreements

1. CMS has authorized the state to enter into outcome-based agreements, entitled KSOBA2025, between the state and drug manufacturers for drugs provided to the Medicaid population. The effective date for these agreements is January 1, 2025.
2. An amendment to the original outcome-based agreement, as provided in section 1, entitled KSOBAMEND2025, to extend the effective date of the original outcome-based agreement, III. GENERAL PROVISIONS, A. Performance Period, has been authorized by CMS effective January 1, 2025.
3. Supplemental rebates received by the state in excess of those required under the national drug rebate agreement will be shared with the Federal government on the same percentage basis as applied under the national drug rebate agreement.
4. The supplemental rebate agreement is applicable only to Medicaid recipients. This includes Medicaid recipients that are enrolled in a managed care organization (MCO).
5. Kansas Medicaid recognizes and assures that it will comply with the confidentiality mandate of Section 1927(b)(3)(D) of the Social Security Act.