



March 21, 2023

AGO.highcostprescriptiondrugs@vermont.gov

Re: Notice of a New Prescription Drug Pursuant to 18 V.S.A. § 4637(b)

Dear Office of the Vermont Attorney General,

Sun Pharmaceutical Industries Limited (“Sun”) is issuing this notice pursuant to 18 V.S.A. § 4637(b), which asks prescription drug manufacturers to provide the Office of the Attorney General (the “Office”) written notice within three calendar days of releasing a drug in the commercial market whose wholesale acquisition cost (“WAC”) exceeds the threshold set for a specialty drug under the Medicare Part D Program.

On March 21, 2023, Sun informed potential customers the following drug products are available for order:

NDC	Description	WAC/Each
63304-0041-27	Lenalidomide Caps 2.5Mg 28ct	\$20,157.36
63304-0042-27	Lenalidomide Caps 5Mg 28ct	\$20,157.36
63304-0043-27	Lenalidomide Caps 10Mg 28ct	\$20,157.36
63304-0044-22	Lenalidomide Caps 15Mg 21ct	\$15,118.04
63304-0045-22	Lenalidomide Caps 20Mg 21ct	\$15,118.04
63304-0046-22	Lenalidomide Caps 25Mg 21ct	\$15,118.04

The WAC for the drug product(s) identified above exceeds the threshold set for a specialty drug under the Medicare Part D Program. Please note that the WAC-related information provided in this notice may be subject to change.

18 V.S.A. § 4637 does not currently define “release of the drug in the commercial market.” Further, Sun is not aware of any guidance issued by the Office or any Vermont regulation that defines “release of the drug in the commercial market” for the purpose of 18 V.S.A. § 4637. Sun interprets “release of the drug in the commercial market” to mean when it is available for purchase by the channel.

In the event Vermont S. 92 and the laws it implements, including 18 V.S.A. § 4637, are found invalid, Sun reserves all of its legal rights. In issuing this notice in an attempt to comply with 18 V.S.A. § 4637, Sun does not waive any legal claims or legal rights related to potential constitutional defects with Vermont S. 92.

Sincerely,
Jeanne Wilson
Jeanne.Wilson@sunpharma.com