

Memo

To: Pharmaceutical Manufacturers

From: Wendy Morgan, Chief of the Public Protection Division
Kate Whelley McCabe, Assistant Attorney General
Vermont Office of the Attorney General

Date: September 26, 2011

Subject: Updated Model Forms: Vermont's Pharmaceutical Marketer Price Disclosure Law

The model short and long forms posted at www.atg.state.vt.us have been changed to acknowledge that marketers still using First Databank data after First Databank ceases to publish AWP information pursuant to the Office's September 7, 2011 update, are not using *published* AWP information.

In particular, the following paragraph in both forms:

The prices listed below are Average Wholesale Prices ("AWP") as established and made available to the public by a third party publisher. The price paid by consumers may be higher or lower than the prices listed below. Information about AWP of these drugs is being provided to Vermont prescribers pursuant to Vermont law, to give you information about the relative prices of marketed drugs and other drugs in the same therapeutic class.

has been changed to:

The prices listed below are Average Wholesale Prices ("AWP") as established and made available to the public by a third party publisher **or as calculated from data made available to the public by a third party publisher**. The price paid by consumers may be higher or lower than the prices listed below. Information about AWP of these drugs is being provided to Vermont prescribers pursuant to Vermont law, to give you information about the relative prices of marketed drugs and other drugs in the same therapeutic class.

In addition, on the long form, "AWP" has been deleted from the column heading.

Please note that although the content of the model forms may be outdated (in terms of drug prices and/or therapeutic classes) they have not been altered beyond the changes noted above. Furthermore, the model forms that appear in the guide published by the Office in 2005 (and available at www.atg.state.vt.us) have not been updated to reflect the above.

Thank you.