

14589, (eff 5-19-26)

PART He-W 570 PHARMACEUTICAL SERVICES

Readopt with amendment He-W 570.13, effective 12-28-18 (Document #12698), to read as follows:

He-W 570.13 Prescription Co-payment. Recipients shall make co-payments to the pharmacy provider for drug products as follows:

(a) A co-payment in the amount of \$4.00 shall be required for each prescription drug and each refill of a prescription drug dispensed; and

(b) Co-payments for drug products shall not be required:

- (1) Of recipients with income at or below 100% of the federal poverty level (FPL);
- (2) Of recipients in a nursing facility, hospital, intermediate care facility for individuals with intellectual disabilities, or other medical institution;
- (3) Of recipients participating in the home and community based services (HCBS) waiver programs;
- (4) Of recipients receiving services that relate to pregnancy in accordance with 42 CFR 447.56(a)(2)(iv), or any other medical condition that might complicate the pregnancy;
- (5) Of recipients under the age of 18;
- (6) For family planning products;
- (7) For clozaril or clozapine prescriptions;
- (8) For any preventive service with a grade of A or B listed in the U.S. Preventive Services Task Force's "Published Recommendations" (2025 edition), available as noted in Appendix A;
- (9) Of women eligible for breast and cervical cancer treatment, pursuant to 42 CFR 435.213;
- (10) Of recipients receiving hospice care pursuant to He-W 544; and
- (11) Of individuals who are members of a federally recognized Indian tribe or Alaskan natives who have ever been served through the Indian Health Services Program, pursuant to 42 CFR 447.56(a)(1)(x).

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APPENDIX A: Incorporation by Reference Information

Rule	Title	Publisher; How to Obtain; and Cost
He-W 570.13(b)(8)	U.S. Preventative Services Task Force's "Published Recommendations" (2025 edition)	Publisher: U.S. Preventative Services Task Force Cost: Free of Charge The incorporated document is available at: https://www.uspreventiveservicestaskforce.org/uspstf/topic_search_results?searchterm= . Filter by status "published" and grade "A" and "B".

APPENDIX B

RULE	STATE OR FEDERAL STATUTE THE RULE IMPLEMENTS
He-W 570.13	42 USC 1396o; 42 CFR 447.53; 42 CFR 447.56; Laws of 2024, Chapter 141:65; RSA 541-A:22, VIII