



Department of Vermont Health Access
312 Hurricane Lane, Suite 201
Williston, VT 05495-2806
www.dvha.state.vt.us

Agency of Human Services

First DataBank, Medi-Span, and McKesson AWP Litigation

The U.S. District court for the District of Massachusetts entered a Final Order and Judgment approving a class action settlement that involved two major publishers of drug pricing information, First DataBank (FDB) and Medi-Span. The lawsuit alleged that the Wholesale Acquisition Costs (WAC) to Average Wholesale Price (AWP) spread was arbitrarily raised from 20% to 25%. As of the result of the class-action lawsuit, there was a rollback of AWP values from 1.25 to 1.20 times the wholesale acquisition cost of such drugs.

During the 2010 Vermont legislative session, the DVHA proposed to accept the current nationally published AWP values.

2010 Act 156 (Fiscal Year 2011 Appropriations) Sec. E.309.1 (d) states:

The department of Vermont health access may modify the reimbursement amount paid pharmacies for any drug priced utilizing the Average Wholesale Price (AWP) methodology to reflect the current published price.

The department of Vermont health access implemented this modification effective July 1, 2010.