
42 C.F.R. § 447.508

Exclusion from best price of certain sales at a nominal price.

(a) *Exclusion from best price.* Sales of covered outpatient drugs by a manufacturer at nominal prices are excluded from best price when purchased by the following entities:

- (1) A covered entity as described in section 340B(a)(4) of the PHSA.
- (2) An ICF/IID providing services as set forth in § 440.150 of this chapter.
- (3) A State-owned or operated nursing facility providing services as set forth in § 440.155 of this chapter.

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