

**Medicare Part B Drug CAP
Responses to Questions from the December 1, 2005 Open Door Forum**

General Vendor Application Information

Q: Are transcripts of previous Open Door Listening sessions available?

A: Transcripts of previous Open Door Listening sessions are no longer available.

Q: Where can the latest version of the Competitive Acquisition Program for Medicare Part B Drugs (CAP) Approved CAP Vendor Application and Bid Form be found?

A: The latest version of the approved vendor application form, the list of CAP drugs with weights, the list of new CAP drugs and additional instructions on applying to be an approved CAP vendor are available at the CAP website:

http://www.cms.hhs.gov/competitiveacquisforbios/01_overview.asp .

Scroll down to the “Vendor Application” section. We remind applicants that bids should not be submitted using previous versions of the application or the bid forms. A link to the Word version of the application form has also been included.

Q: Does a vendor applicant still have to submit an 855B form if they are already a Medicare supplier?

A: CAP vendors are a new Medicare supplier type. Therefore, CAP vendor applicants are required to submit a completed 855B form indicating that they are applying to be a CAP vendor. On Page 9 of the 855B you will be asked to identify the type of supplier being applied for. Check the “Other (specify)” box and write in “CAP Vendor” in the adjacent space.

Vendor Requirements

Q: Will a CAP vendor be required to maintain a physical presence (i.e. a location) in all States or Territories covered by the CAP?

A: A physical location in all States or Territories is not required unless mandated by State or Territorial Laws. A relationship with a subcontractor as described in 70 FR 70245 may be an acceptable method to establish a physical presence in a location that requires it.

CAP Drug List

Q: Are Orthovisc® and Euflexxa® included in CAP?

A: Currently, the approved CAP vendor's drug list is composed of drugs that have a permanent HCPCS code assigned, have a price on the ASP + 6 list and meet certain other criteria. These particular products do not have a permanent HCPCS code so they were not included in this round of the CAP. Processes that approved CAP vendors can follow to add drugs to their drug lists are described in section 414.906(f) of the regulation (see 70FR7033).