

**DEPARTMENT OF REGULATORY AGENCIES**  
**PRESCRIPTION DRUG AFFORDABILITY BOARD**

**3 CCR 702-9**

**Part 4        UPPER PAYMENT LIMITS**

**4.3        Upper Payment Limit for Enbrel (Etanercept)**

**A.        Authority**

The statutory authority for this rule is sections 10-16-1403(1)(c), 10-16-1403(5), 10-16-1407(1)(a), and 10-16-1407(5), 10-16-1407(6), C.R.S.

**B.        Scope and Purpose**

The purpose of this rule is to establish an upper payment limit for the prescription drug, Enbrel (Etanercept), pursuant to section 10-16-1407, C.R.S., and part 4.1 of these rules. The Board performed an affordability review of Enbrel and determined it was unaffordable for Colorado consumers pursuant to section 10-16-1406, C.R.S., and part 3 of these rules.

**C.        Applicability**

See section 10-16-1407(5), C.R.S., and Division of Insurance Regulation 3 CCR 702-9, Part 4.2.C.

**D.        Definitions**

“Prescription drug” shall have the same meaning as found at section 10-16-1401(19), C.R.S.

“Upper payment limit” shall have the same meaning as found at section 10-16-1401(23), C.R.S.

**E.        Upper Payment Limit**

The upper payment limit for Enbrel (Etanercept) is set at \$583.59 per unit, which is the current Maximum Fair Price for Enbrel. This price per unit will be reviewed and updated annually.

**F.        Incorporation by Reference**

**G.        Severability**

If any portion of these rules is found to be invalid, the remaining portion of the rules shall remain in force and effect.

**H.        Effective Date**

This regulation shall become effective on at least six months after adoption date.

**I.        History**

New regulation effective [at least six months after adoption date].