

1 EXCLUDED.—In calculating the manufacturer’s
2 average sales price under this subsection for a
3 drug or biological that is sold under a value-
4 based purchasing arrangement (as defined in
5 section 1927(k)(12)) and with respect to which
6 the manufacturer of such drug or biological has
7 elected to include multiple best price points (as
8 described in section 1927(c)(1)(C)(ii)(VI)) in
9 reporting the best price of such drug under sec-
10 tion 1927(b), such price shall not include any
11 amount that is excluded from the calculation of
12 the average manufacturer price of such drug or
13 biological under section 1927(k)(1)(B)(i)(IX).”.

