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**TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES**

**Notice of Intent to Adopt a Rule**

LSA Document #16-172

Under [IC 4-22-2-23](#), the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

**OVERVIEW:** Amends [405 IAC 5-24-2](#) to add the definition "usual and customary charge" as used in [405 IAC 5-24](#) to provide additional clarity regarding the calculation of the provider's "usual and customary charge" for a covered drug. Effective 30 days after filing with the Publisher. Statutory authority: [IC 12-15-1-10](#); [IC 12-15-1-15](#); [IC 12-15-13-7.2](#); [IC 12-15-21-2](#); [IC 12-15-21-3](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

Emily Hancock  
Indiana Family and Social Services Administration  
Office of Medicaid Policy and Planning  
Indiana Government Center South  
402 West Washington Street, Room W374  
Indianapolis, IN 46204  
(317) 233-0097  
emily.hancock@fssa.in.gov

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 4-4-35-8](#) is:

Robert Warner  
Office of Small Business and Entrepreneurship  
One North Capitol, Suite 600  
Indianapolis, IN 46204  
(317) 232-5679  
ombudsman@osbe.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 4-4-35-8](#), specifically [IC 4-4-35-8\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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An [html](#) version of this document.