

**THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA  
PRESCRIPTION DRUG COVERAGE ADDENDUM**

**EFFECTIVE DATE: January 1, 2024**

**PLAN ADMINISTRATOR/PLAN SPONSOR:**

**University of Nebraska System  
3835 Holdredge Street  
217 Varner Hall  
Lincoln, NE 68583  
Phone: 402-472-2600**

**THE PHARMACY BENEFITS ADMINISTRATOR FOR THIS PLAN IS:**

**EmpiRx Health, LLC  
155 Chestnut Ridge Road  
Montvale, NJ 07645  
Customer Service Number: 201-777-6971  
Website: [myempirxhealth.com](http://myempirxhealth.com)**

**Name of Mail Order Pharmacy: Prescription Mart  
Mail Order Service Number: 833-902-3217**

**This Prescription Drug plan is integrated with The Board of Regents of the University of Nebraska (the "Plan").**

**NOTE:** The Medicare Prescription Drug Improvement and Modernization Act of 2003 provides all Medicare eligible individuals the opportunity to obtain prescription Drug coverage through Medicare. Medicare eligible individuals generally must pay an additional monthly premium for this coverage. Participants may be able to postpone enrollment in the Medicare Prescription Drug coverage if their current drug coverage is at least as good as Medicare Prescription Drug coverage. If a Participant declines Medicare Prescription Drug coverage and does not have coverage at least as good as Medicare Prescription Drug coverage, he or she may have to pay an additional monthly penalty if he or she changes his or her mind and signs up later. Participants should have received a Notice telling them whether their current Prescription Drug coverage provides benefits that are at least as good as benefits provided by the Medicare Prescription Drug coverage. If a Participant needs a copy of this Notice, he or she should contact the Plan Administrator.

**DISCREPANCY**

The prescription Drug benefits listed in this Addendum will supersede any prescription Drug benefit provisions in the Plan's medical Plan Document, Summary Plan

drug (any medicinal substance which may be dispensed only by prescription, according to State law), legally obtained and dispensed by a licensed drug dispenser only, according to a written prescription given by a Physician and/or duly licensed Provider. "Drug" shall also mean insulin for purposes of injection.

**"Participant"**

"Participant" shall mean an employee and/or his or her dependent(s) who satisfies the eligibility and participation requirements specified in the Plan and is enrolled in the Plan.

**"Physician"**

"Physician" shall mean a Doctor of Medicine (M.D.), Doctor of Osteopathy (D.O.), Doctor of Dental Surgery (D.D.S.), Doctor of Podiatry (D.P.M.), Doctor of Chiropractic (D.C.), Psychologist (Ph.D.), Audiologist, Certified Nurse Anesthetist, Licensed Professional Counselor, Licensed Professional Physical Therapist, Master of Social Work (M.S.W.), Occupational Therapist, Physiotherapist, Speech Language Pathologist, psychiatrist, midwife, and any other practitioner of the healing arts who is licensed and regulated by 9Nu

Participating pharmacies ("Participating Pharmacies") have contracted with the Plan to charge Participants reduced fees for covered Drugs. EmpiRx Health, LLC is the administrator of the prescription drug plan. Participants will be issued an identification card to use at the pharmacy at time of purchase. Participants will be held fully responsible for the consequences of any pharmacy identification card after termination of coverage. No reimbursement will be made when a Drug is purchased from a non-Participating Pharmacy or when the identification card is not used.

The Mail Order Option is available for maintenance medications (those that are taken for long periods of time, such as Drugs sometimes prescribed for heart

**Immunizations.** Immunization agents, biological sera, and immunologicals (vaccines).

**Injectables.** A charge for injectables.

**Legend Drugs.**

1. Class V Drugs.
2. Diabetic Supplies.
3. Pre-natal vitamins.

**Non-Insulin Syringes/Needles.** Charges for non-insulin syringes and needles.

**Smoking Deterrents.** A charge for Drugs or aids for smoking cessation, including, but not limited to, nicotine gum and smoking cessation patches.

**Exclusions**

In addition to the exclusions section of the Plan, the following are not covered by this Addendum:

**Administration.** Any charge for the administration of a covered Drug.

**Anorexiant.** Anorexiant (weight loss Drugs).

**Anti-Aging Products.** Drugs intended to affect the structure or function of the skin that cannot be purchased over-the-counter.

**Blood and Blood Plasma.** Charges for blood and blood plasma.

**Devices.** Devices of any type, even though such devices may require a prescription, including, but not limited to, therapeutic devices, artificial appliances, braces, support garments or any similar device.

**Drug Efficacy Study Implementation (DESI) Drugs.** Charges for DESI Drugs.

**Experimental Drugs.** Experimental Drugs and medicines, even though a charge is made to the Participant.

**Impotency.** A charge for impotency medication, including Viagra.

**Institutional Medication.** A Drug or medicine that is to be taken by a Participant, in whole or in part, while confined in an Institution, including any Institution that has a facility for dispensing Drugs and medicines on its premises.

**Investigational Use Drugs.** A Drug or medicine labeled "Caution – limited by Federal law to Investigational use".

**Legend Drugs.**

1. Diagnostics.
2. Legend Drugs with over-the-counter equivalents.
3. Vitamins.

**Medical Devices and Supplies.** Charges for legend and over the counter medical devices and supplies.

**No Charge.** A charge for drugs which may be properly received without charge under local, State or Federal programs.

**Non-Prescription Drug or Medicine.** A drug or medicine that can legally be bought without a prescription, except for injectable insulin.

**Occupational.** Prescriptions necessitated due to an occupational activity or event occurring as a result of an activity for wage or profit which an eligible person is entitled to receive without charge under any workers' compensation or similar law.

**Over-the-Counter Drugs.** Charges for over-the-counter drugs, except to the extent required by the Families First Coronavirus Response Act (FFCRA), as amended.

**Travel Vaccines.**

**Vitamins.** Vitamins, except pre-natal vitamins.

## **CLAIMS AND APPEALS PROCEDURES**

Please see the Pharmacy Benefit Booklet for more information about how to appeal a denied pharmacy claim, and for details regarding the pharmacy claims appeal process.