



Ultra High-Cost Drug U.C.A. § 63G-2-309 Written Claim of Business Confidentiality

Submit the completed form via fax to 855-828-4992 or via email to medicaidpharmacy@utah.gov

Name of entity/individual and representative:	Address:
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**Name and address of the individual or entity, including the name of the entity's representative making this confidentiality claim.*

I claim that the attached/enclosed record provided to the Department of Health and Human Services (DHHS) is a confidential business record and request the record be considered confidential and given protected status under U.C.A. § 63G-2-309.

Record Description:	
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**Description of the record provided to DHHS that you claim is a confidential business record that you believe qualifies for protected status under the Utah Government Records Access and Management Act.*

The following reasons support my claim of business confidentiality:

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**A statement of reasons supporting your claim of business confidentiality. You may attach additional pages, when necessary, but the statement should be concise.*

NOTICE: You shall be notified if a record claimed to be protected is classified as public or if the determination is made that the record should be disclosed because the interests favoring access outweigh the interests favoring restriction of access. Records claimed to be protected under this business confidentiality claim may not be disclosed until the period in which to bring the appeal expires or the end of the appeals process, including judicial appeal unless you, after notice, waive the claim by not appealing or intervening in such proceedings. "A person who makes a claim of business confidentiality under this Subsection (1) shall protect, defend, and indemnify the governmental entity that retains the record, and all staff and employees of the governmental entity from and against any claims, liability, or damages resulting from or arising from a denial of access to the record as a protected record based on the claim of business confidentiality." U.C.A. §63G-2-309 (1) (c).

Any record provided that includes required information for the drug rebate program is governed by the confidentiality provision in 42 U.S.C. § 1396 (b)(3)(D).

Signature Authorized Representative

Date