

2nd Sub. H.B. 76
PHARMACY AUDIT RIGHTS

Senator **Stephen H. Urquhart** proposes the following amendments:

1. *Page 14, Line 424 through Page 15, Line 429:*

424 (b) This section does not apply to an audit of pharmacy records :
 (i) for a federally funded
425 prescription drug program, including:
426 {(i)} (A) the state Medicaid program;
427 {(ii)} (B) the Medicare Part D program;
428 {(iii)} (C) a Department of Defense prescription drug program; or
429 {(iv)} (D) a Veteran's Affairs prescription drug program : or
 (ii) when fraud or other criminal misrepresentation is alleged and the pharmacy audit entity has
 evidence that the pharmacy's actions constituted fraud or criminal misrepresentation .

2. *Page 15, Lines 448 through 449:*

448 typographical errors, scrivener's errors, and computer errors on a required document or record
449 { in the absence of any other evidence deemed fraudulent } unless the entity has evidence the actions
 by the pharmacy constituted fraud ; or

3. *Page 16, Lines 480 through 482:*

480 {(10) This section does not apply to any audit, review, or investigation that involves
481 probable Medicaid fraud, probable Medicaid abuse, probable insurance fraud, or other criminal
482 fraud or criminal misrepresentation} .