

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

SENATE FLOOR AMENDMENTS

AMENDMENT 2

MARCH 6, 2012 10:03 AM

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

1. Page 14, Lines 424 through 428:

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}

2. Page 15, Line 429:

429 {(iv)} (D) a Veteran's Affairs prescription drug program ; or
(ii) when fraud or other intentional and willful misrepresentation is alleged and the pharmacy
audit entity has evidence that the pharmacy's actions reasonably indicate fraud .

3. Page 15, Line 449:

449 {—in the absence of any other evidence deemed fraudulent} unless the entity has evidence the actions by
the pharmacy constituted fraud ; or

4. 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} .