

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

SENATE FLOOR AMENDMENTS

AMENDMENT 3

MARCH 6, 2012 10:07 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}~~ .