

MAINE STATE LEGISLATURE

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Date: 4/5/13

L.D. 44
(Filing No. H- 45)

INSURANCE AND FINANCIAL SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 39, L.D. 44, Bill, "An Act Regarding Pharmacy Provider Audits"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 24-A MRSA §4317, sub-§10, ¶¶F to H are enacted to read:

F. Prior to an audit, the entity conducting an audit shall give the pharmacy 10 days' advance written notice of the audit and the range of prescription numbers and the range of dates included in the audit.

G. A pharmacy has the right to request mediation by a private mediator, agreed upon by the pharmacy and the pharmacy benefits manager, to resolve any disagreements. A request for mediation does not waive any existing rights of appeal available to a pharmacy under this subsection or subsection 11.

H. The requirements of section 4303, subsection 10 apply to claims audited under this subsection.'

SUMMARY

This amendment replaces the bill. The amendment adds provisions to the requirements in current law relating to on-site audits of pharmacy providers conducted by pharmacy benefits managers on behalf of health insurance carriers. The amendment requires auditors to give advance notice of audits, gives pharmacy providers the right to request mediation to resolve disagreements and makes clear that provisions relating to retrospective denial of claims apply to pharmacy claims subject to an audit.

COMMITTEE AMENDMENT