

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 196 Session of 2011

INTRODUCED BY GINGRICH, BAKER, BOBACK, BOYD, CALTAGIRONE,
 CLYMER, D. COSTA, ELLIS, FLECK, GRELL, GROVE, HENNESSEY,
 HESS, KAUFFMAN, M.K. KELLER, KILLION, MAJOR, MILNE, O'NEILL,
 PICKETT, RAPP, SAYLOR, SWANGER, VULAKOVICH AND WATSON,
 JANUARY 24, 2011

REFERRED TO COMMITTEE ON HEALTH, JANUARY 24, 2011

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
 2 act to consolidate, editorially revise, and codify the public
 3 welfare laws of the Commonwealth," in public assistance,
 4 providing for prepayment pharmacy audits.

5 The General Assembly of the Commonwealth of Pennsylvania
 6 hereby enacts as follows:

7 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
 8 as the Public Welfare Code, is amended by adding a section to
 9 read:

10 Section 457.1. Prepayment Pharmacy Audits.--(a) The
 11 department shall utilize auditing software for the purpose of
 12 analyzing pharmacy claims to identify abnormalities or patterns
 13 of misuse for further investigation prior to any Medical
 14 Assistance pharmacy payments made to a participating pharmacy
 15 provider.

16 (b) Medical Assistance payments shall not be made to
 17 providers for pharmacy claims if abnormalities or patterns of

1 misuse are identified.

2 (c) Medical Assistance payments for pharmacy claims may be
3 made once payments are justified for pharmaceutical claims which
4 have been identified for investigation.

5 (d) Medical Assistance pharmacy claims shall be made by the
6 department in a timely manner.

7 Section 2. This act shall take effect in 60 days.