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## DIGEST

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HB 538 Original

2019 Regular Session

LeBas

**Abstract:** Provides relative to the audit of pharmacy records.

Present law provides the criteria for the auditing of pharmacy records including the protocol for conducting an onsite audit and a prohibition against an audit taking place within the first five days of a month.

Proposed law repeals the requirement for onsite audits as they relate to the auditing of pharmacy records.

Present law requires any audit involving clinical judgment be conducted by or in consultation with a pharmacist.

Proposed law changes present law to require that any audit of a pharmacy with its principle place of business within this state be conducted by a pharmacist licensed in La.

Present law provides that no pharmacy be subject to recoupment of any portion of the reimbursement for the dispensed product of a prescription unless one or more conditions occur.

Proposed law changes present law by requiring that the condition occur at the point of adjudication.

Present law provides that recoupment of claims be based on the actual financial harm to the entity, or on the actual overpayment or underpayment.

Proposed law changes present law by requiring that such financial harm exist at the point of adjudication.

Proposed law provides that if any entity determines that the processed or adjudicated claim of a pharmacy qualifies for recoupment based upon the use of a manufacturer coupon or copay card, such recoupment shall come from the beneficiary of the reduction.

Present law provides that present law does not apply to any federally funded activity, specifically preempted by law or rule or any audit conducted pursuant to the participation of a pharmacy in the Louisiana Medicaid Program. Proposed law repeals present law.

(Amends R.S. 22:1856.1; Adds R.S. 22:1856.1(D)(3); Repeals 22:1856.1(G)(3) and (4))