# BILL SUMMARY
1st Session of the 58th Legislature

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| **Bill No.:** | **HB2677** |
| **Version:** | **SAHB** |
| **Request Number:** | |
| **Author:** | **Marti** |
| **Date:** | **4/27/2021** |
| **Impact: Please see previous summary of this measure** | |

## Research Analysis

Senate Amendments to HB 2677 clarify a prohibition on recouping disputed funds until after final disposition of audit findings, and clarify certain authority of the Department to levy fines against a PBM.

HB 2677 makes several modifications to the Pharmacy Audit Integrity Act, including:

- Requiring appeal procedures to be specifically described in a contract between a pharmacy and the entity conducting the audit;
- Requiring the auditing entity to give the required written notice by certified letter;
- Providing a minimum of 30 days written notice before a wholesale purchase audit;
- Clarifying certain errors that are not to be considered fraud;
- Prohibiting including the invoice cost of prescriptions dispensed in certain findings;
- Clarifying that each pharmacy audit is to be conducted under identical standards, regularity and parameters as similarly situated pharmacies;
- Not requiring pharmacists to open "for single-patient-use only" packaging;
- Not requiring a full dispensing report in a wholesale purchase review;
- Specifying certain events that are not to be considered audit discrepancies;
- Requiring, within five days of a request, submitting all supporting documents to the health benefits plan issuer or pharmacy benefits manager;
- Restricting the audit to no more than 50 prescriptions per calendar year (down from 75);
- Requiring final audit findings to be delivered within 10 days (down from 120);
- Allowing a pharmacy to reverse and resubmit claims within 30 days of receipt of the final audit report; and
- Updating statutory language.

Prepared By: Sean Webster

## Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

## Other Considerations

None.