



JEB BUSH, GOVERNOR

ALAN LEVINE, SECRETARY

<AUTO INSERT DATE>

TO ALL MEDICAID PHARMACY PROVIDERS

Dear Pharmacy Provider:

The Agency for Health Care Administration (AHCA) and the recipients of Florida Medicaid entered into a Settlement Agreement in 2003, *Hernandez et al. v Medows* case. Under the terms of that agreement, Medicaid participating pharmacies must prominently post at the point of sale the sign found at http://ahca.myflorida.com/Medicaid/Prescribed_Drug/multi_source.shtml. Florida Medicaid is obligated to require posting by Medicaid Provider pharmacies of the stated notices/signs and to provide pharmacy providers with information pamphlets to be distributed to Medicaid recipients when payment for a prescription is denied for a variety of reasons.

The information pamphlet explains in detail what rights a recipient has if a prescription claim is denied by Medicaid, what the recipient's responsibilities are, what the prescriber's responsibilities are, and provides a toll free number for the recipient to contact an Ombudsman if all conditions are met and the recipient continues to believe the claim should be approved by Medicaid. The Ombudsman is prepared to handle calls for both fee-for-service Medicaid and Medicaid prepaid health plans.

The English and Spanish language notices/signs should be posted in a conspicuous location within each pharmacy that provides services to Medicaid recipients. **Please use the enclosed RE-ORDER FORM when you need to order or replenish your supply of pamphlets and/or signs.**

Most prescription "problems" at the point of sale will generally be minor. They can be handled informally and quickly. However, you are required to provide a pamphlet to a recipient whose claim is rejected, when you cannot resolve the rejection during that day's pharmacy visit. Please either insert in the pamphlet the required date, recipient name, drug name and reason for rejection or attach a printout of the computer screen stating the reason(s) for the rejection.

If the prescription denial is for a timely refill, and it is otherwise valid, the pharmacist must provide the recipient with a three (3) day temporary supply unless an exception to the three (3) day supply is met.¹ A pharmacist can use discretion in deciding whether or not to provide the three day supply, if the recipient is presenting a new prescription. In that case, the temporary supply should be given if the pharmacist determines there is a potential "emergency". **Recipients should not be asked to pay for the three (3) day supply, regardless of whether it is a new prescription or a prescription refill. Pharmacies will be reimbursed for the three (3) day supply, as well as the standard dispensing fee.**

Sincerely yours,

Sybil M. Richard,
Assistant Deputy Secretary for Medicaid Operations

Enclosure

¹ The following are exceptions to provision of a temporary supply: The attempt to refill is early; The rejection is due to an error that only the pharmacist can correct; There are clinical issues that must be resolved; The individual is not eligible for Medicaid; *or* There would be a medical danger, in your professional judgment, if a temporary supply is dispensed.

