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Title 22@ Social Security

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Division 3@ Health Care Services

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Subdivision 1@ California Medical Assistance Program

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Chapter 3@ Health Care Services

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Article 6@ Eligibility for Payment

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Section 51488.3@ Underpayment Adjustments to Medi-Cal Reviews of Pharmacies and Clinics With Special Permits

## **51488.3 Underpayment Adjustments to Medi-Cal Reviews of Pharmacies and Clinics With Special Permits**

### **(a)**

For the purpose of determining underpayment adjustments to a Medi-Cal recovery action, underpayment shall mean a payment amount within the audit period identified by the pharmacy or clinic with a special permit as being deficient. The underpayment may be due to a billing error made by the pharmacy or clinic with a special permit or an incorrect payment made by the fiscal intermediary for claims submitted within the billing time limits as specified in Section 51008.

### **(b)**

The pharmacy or clinic with a special permit shall submit a written statement of findings of underpayment to the Department of Health Services prior to issuance of a demand for payment of identified underpayments. This written statement shall provide specific documentation pursuant to Section 51476 to support the contention of the pharmacy or clinic with a special permit that an underpayment occurred.

### **(c)**

Should a probability sample be used in auditing a pharmacy or a clinic with a special permit having qualified underpaid amounts in the sample, both the overpayments and underpayments shall be extrapolated to the audit period universe in determining the recoverable amount due.

**(d)**

No review may be reopened to provide for underpayments in which a final decision has been reached pursuant to Section 14171 of the Welfare and Institutions Code.

**(e)**

For the purpose of this section, a valid claim shall mean any claim, for service dates within the audit period, that meets all of the requirements for billing established under Articles 1, 6, and 7 of this Chapter.