



Managed Care Pharmacy Encounters Paid to Bemaj Pharmacy, Inc.

A Managed Care Network Provider Contracted Under Amerigroup Texas, Inc., Amerigroup Insurance Company, and Superior HealthPlan, Inc.

Results in Brief

Why OIG Conducted This Audit

The Texas Health and Human Services (HHS) Office of Inspector General (OIG) Audit and Inspections Division (OIG Audit) conducted an audit of managed care encounters paid to Bemaj Pharmacy, Inc. (Bemaj) for prescriptions dispensed to Amerigroup Texas, Inc. and Amerigroup Insurance Company (Amerigroup) and Superior HealthPlan, Inc. (Superior) members. Pharmacy audits are conducted to verify that Medicaid members have access to vital medications in accordance with contractual, state, and federal requirements.

During the audit scope, which covered the period from September 1, 2017, through August 31, 2022, Bemaj was paid (a) \$61,312.07 for 812 Texas Medicaid managed care encounters for prescriptions dispensed to Amerigroup members and (b) \$389,186.12 for 1,785 Texas Medicaid managed care encounters for prescriptions dispensed to Superior members.

Summary of Review

The audit objective was to determine whether Bemaj (a) properly billed for selected paid encounters associated with Texas Medicaid members enrolled with Amerigroup and Superior and (b) complied with applicable contractual, state, and federal requirements.

The audit scope covered the period from September 1, 2017, through August 31, 2022.

Conclusion

Bemaj Pharmacy, Inc. (Bemaj) filled and dispensed prescriptions for Texas Medicaid members; however, Bemaj did not consistently comply with certain requirements for dosage directions, medication strength, maintaining support, and signing or dating written prescriptions. Additionally, Bemaj dispensed opioid and Schedule II prescriptions received through a facsimile communication (fax), which is not allowed. As a result, Bemaj was overpaid and should repay \$18,675.55 to the state of Texas.

Key Results

Bemaj complied with requirements for providing the correct quantity and type of medication and obtaining delivery confirmations for most prescriptions. However, Bemaj did not consistently comply with certain requirements. Specifically:

- Bemaj received an overpayment of \$356.36 for six pharmacy encounters tested. Bemaj submitted:
 - Two opioid claims with dispensed dosage directions to take one tablet by mouth every six hours when the prescribed dosage directions were to take one tablet by mouth six times a day.
 - One Schedule II claim with a dispensed medication strength of 18 mg when the prescribed medication strength was 36 mg.
 - Three claims for which it did not maintain supporting documentation for three opioid encounters.
- For 42 of 205 encounters tested, Bemaj filled 2 invalid opioid prescriptions and 40 invalid Schedule II prescriptions that it received through fax, resulting in an overpayment of \$7,234.46.

Background

Bemaj is a community-based managed care network provider pharmacy located in Houston, Texas, and contracted under Amerigroup and Superior, both of which are managed care organizations (MCOs). For pharmacy benefit manager (PBM) services to process outpatient pharmacy claims, Amerigroup contracts with IngenioRx, Inc. and Superior contracts with Envolve, Inc. Bemaj also contracts with Leader Drugstores, Inc., a pharmacy services administrative organization that provides contract management and pharmacy services to Bemaj.

Pharmacy providers must enroll with the Texas Health and Human Services Commission (HHSC) before providing outpatient prescription services and participating in any managed care network. MCOs must allow any Medicaid-enrolled pharmacy provider willing to accept the terms and conditions of the MCO or PBM contract to enroll in the network.

Management Response

Bemaj indicated it began implementing corrective actions in August 2023.

- For 79 of 205 encounters tested, Bemaj submitted 6 opioid claims and 73 Schedule II claims for written prescriptions that were not signed or dated by a pharmacist on the date the prescription was filled, resulting in an overpayment of \$11,084.73.

Recommendations

Bemaj should:

- Print dispensing labels with the correct dosage directions based on the prescribed dosage directions.
- Dispense prescriptions in medication strengths that align with the prescribed medication strength.
- Retain all necessary documentation to support (a) it dispensed and filled each prescription accurately and (b) medication delivery was confirmed.
- Not (a) process prescriptions for opioid or Schedule II prescriptions when it receives them through fax or (b) fill prescriptions marked as void.
- Verify that it submits claims for written prescriptions only when the prescriptions were signed and dated by the dispensing pharmacist on the date the prescription was filled.

Additionally, Bemaj was overpaid and should repay \$18,675.55 to the state of Texas.