

~~(H) THE PRELIMINARY AUDIT REPORT; OR~~

~~(H) THE DECISION ON ANY APPEAL MADE THROUGH THE PROCESS PROVIDED UNDER SUBSECTION (G) OF THIS SECTION.~~

(7) IN ACCORDANCE WITH SUBSECTION (G) OF THIS SECTION, ALLOW A PHARMACY OR PHARMACIST TO PRODUCE DOCUMENTATION TO ADDRESS ANY DISCREPANCY FOUND DURING THE AUDIT; AND

(8) DELIVER THE FINAL AUDIT REPORT TO THE PHARMACY OR PHARMACIST:

(I) WITHIN 6 MONTHS AFTER DELIVERY OF THE PRELIMINARY AUDIT REPORT IF THE PHARMACY OR PHARMACIST DOES NOT REQUEST AN INTERNAL APPEAL UNDER SUBSECTION (G) OF THIS SECTION; OR

(II) WITHIN 30 DAYS AFTER THE CONCLUSION OF THE INTERNAL APPEALS PROCESS UNDER SUBSECTION (G) OF THIS SECTION IF THE PHARMACY OR PHARMACIST REQUESTS AN INTERNAL APPEAL.

(E) A PHARMACY BENEFITS MANAGER MAY NOT USE THE ACCOUNTING PRACTICE OF EXTRAPOLATION TO CALCULATE OVERPAYMENTS OR UNDERPAYMENTS.

(F) THE RECOUPMENT OF A CLAIMS PAYMENT FROM A PHARMACY OR PHARMACIST BY A PHARMACY BENEFITS MANAGER SHALL BE BASED ON AN ACTUAL OVERPAYMENT OR DENIAL OF AN AUDITED CLAIM UNLESS THE PROJECTED OVERPAYMENT OR DENIAL IS PART OF A SETTLEMENT AGREED TO BY THE PHARMACY OR PHARMACIST.

~~(G) (1) A PHARMACY BENEFITS MANAGER SHALL ESTABLISH AN APPEALS PROCESS, IN ACCORDANCE WITH THE PROVISIONS OF SUBTITLE 10D OF THIS TITLE, UNDER WHICH A PHARMACY OR PHARMACIST MAY APPEAL A DISPUTED CLAIM IN A PRELIMINARY AUDIT REPORT.~~

~~(2) IF THE PHARMACY BENEFITS MANAGER REVERSES OR MODIFIES ITS PRELIMINARY AUDIT REPORT AS A RESULT OF AN APPEAL OF A DISPUTED CLAIM BY A PHARMACY OR PHARMACIST, THE PHARMACY BENEFITS MANAGER SHALL DISMISS THE PRELIMINARY AUDIT REPORT OR THE UNSUBSTANTIATED PORTION OF THE PRELIMINARY AUDIT REPORT WITH NO FURTHER PROCEEDINGS.~~