



STATE OF NEW JERSEY
OFFICE OF THE STATE COMPTROLLER
MEDICAID FRAUD DIVISION

COMPLIANCE AUDIT
REVIEW OF SUBOXONE
FINAL AUDIT REPORT

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Executive Summary

As part of its oversight of the Medicaid and New Jersey FamilyCare programs, the Medicaid Fraud Division of the Office of the State Comptroller (OSC) conducted an audit of the drug Suboxone (buprenorphine). Suboxone is a controlled substance used to treat opioid dependence. The audit covered prescribing physicians' compliance with the Drug Addiction Treatment Act of 2000 (DATA). DATA requires qualified physicians to obtain a waiver allowing them to prescribe and/or dispense Suboxone for the treatment of opioid dependence. In its audit, OSC found that UnitedHealthcare (UHC), one of the managed care organizations contracted with the state of New Jersey, has an error in their data system. UHC has been sending incorrect information to the Department of Medical Assistance and Health Services (DMAHS) regarding the prescribing physician on pharmacy claims.

For example, OSC determined that claims are being submitted correctly from the pharmacy to UHC. However, when processing the claim, if UHC could not identify the prescriber's National Provider Identifier (NPI) on their system, the system would then identify the prescriber as the recipient's Primary Care Physician (PCP).

The findings in this report raise questions about the system UHC has in place for processing, formatting, and submitting electronic claims for Suboxone to DMAHS.

Background

Suboxone is a prescription drug that provides treatment for patients with opioid dependence. In order to prescribe Suboxone, the DATA requires physicians to meet certain requirements before prescribing the medication. Based on their intent to prescribe Suboxone for the treatment of opioid dependence, a qualified physician receives a unique identification number from the United States Department of Health and Human Services (HHS). This number must be included on each prescription for Suboxone.

This case was referred by the Medicaid Fraud Division's Data Mining Unit (DMU) to its Audit Unit (Audit). DMU ran a Shared Data Warehouse (SDW) report for a physician that prescribed Suboxone who was not found on the Substance Abuse and Mental Health Services Administration (SAMHSA) Provider Locator site for Suboxone certification. SAMHSA houses a site for all physicians that choose to be listed as certified Suboxone prescribers (physicians are not required to be listed on the site). DMU then expanded its report to include all prescribers of Suboxone

and found that out of the 993 prescribing Medicaid providers, 635 of them were not listed on the SAMHSA site. The group of providers had claims totaling \$2,514,981.

The SDW report also showed the top 20 Medicaid billing providers for Suboxone. Out of the \$2,245,079 claims paid for these providers, claims totaling \$385,969 were from prescribers not listed on the SAMHSA site.

Objective

The objective of this audit is to ensure that the top 43 prescribers of Suboxone (National Drug Codes (NDC) 12496120803, 12496130602, 12496120203, 12496128302), which were not listed on the SAMHSA site, have valid certifications/waivers in accordance with DATA.

Scope

Based on a DMU report, Audit performed a review of Medicaid payments made for Suboxone claims from January 1, 2011 through December 31, 2011. In addition, the DMU report identified the top 20 prescribing providers not found on the SAMHSA website as having a certification/waiver for prescribing Suboxone. The audit was conducted under the authority of the *Medicaid Program Integrity and Protection Act* (N.J.S.A. 30:4D-53 *et seq.* and N.J.S.A.52:15C-25).

Finding(s)

Based upon OSC's review of 62 claims, we determined that UHC was sending the incorrect prescriber's information to DMAHS on all of the Suboxone prescription claims it was processing (100%). We determined that there were cases where the pharmacy properly reported the prescribing physician information to UHC, but UHC's claim system could not identify the prescribing physician's National Provider Identification (NPI) number and then misidentified the prescribing physician as the patient's PCP.

Auditee Response

Thank you for the opportunity to provide comments on the Suboxone Audit Draft Report.

UnitedHealthcare Community Plan (UHCCP) has reviewed the information received from the Medicaid Fraud Division's Data Mining Unit and agree that there are discrepancies in our pharmacy encounters, relating to Suboxone claims.

UHCCPNJ is actively reviewing all files and is taking corrective steps to rectify the issue. In short, we are correcting a data load error involving our pharmacy

vendor file. The error, combined with our standard encounter file creation automation, was causing the PCP's information to populate on the encounters vs. the prescribing provider's NPI. We expect the correction to this problem will be implemented in August 2013. At that point, you should see the prescribing provider information on the encounters.

Recommendation(s)

We recommend that UHC correct their system to ensure that the correct prescribing physician appears on the claims sent to DMAHS. This includes reviewing claims from previous years to ensure they were submitted correctly. We recommend that UHC send OSC a corrective action plan regarding the resolution of this issue.

UHC should also conduct a review of all claims to determine whether the incorrect prescriber claims issue is a global problem.

Comptroller Note

1. OSC requested a timeframe of how far back UHC would correct the pharmacy encounter claims. UHC informed us that encounters with a date of service of 1/1/2011 to the present would be corrected.