

APC is working to reverse outrageous ESI/Tricare recoupments from compounding pharmacies, and getting the word out through public and media outreach and via social media is part of that work.

Here is information we're making available to our members to assist in that effort.



The APC explanation of the ESI/Tricare issue, for the public

This, along with contact information and documents from Tricare, is being sent to various media outlets around the country as part of a press packet.

It is available at A4PCNews.com/tricareclawback for you to use in your area — feel free to copy, share, and link.

Tricare questions five-year-old prescriptions, claws back money from compounding pharmacists

In 2015, compounding pharmacies across the country processed thousands of legitimate, legal prescriptions for veterans and servicemen and -women. Now, with no evidence, Tricare claims that the physicians didn't have a relationship with those patients — and it's making the pharmacies pay.

Starting in early June, compounding pharmacies around the country began receiving letters from Express Scripts, the PBM that handles prescription benefits for Tricare, the U.S. military's health insurer.

The letters claim that five years ago, some prescriptions for compounded drugs filled by these pharmacies came from physicians who didn't actually meet their patients in person before writing the prescription. (Tricare admits there is no proof of this, by the way, only suspicion.)

The prescriptions were perfectly valid, signed by a real physician, often one known by the pharmacist. They weren't for controlled substances like opioids. They were for commonly used compounded medications. There was no reason for pharmacists to question them; they fill thousands of prescriptions for veterans and military personnel every month.

There isn't even a space on a prescription for "How did you see the patient?" It's a physician's decision whether to meet physically, virtually, or over the phone, and never have pharmacists been asked to consider that, for good reason. Can you imagine the delays if pharmacists had to manually verify the circumstances of every prescription?

Yet somehow Tricare and Express Scripts are saying that compounding pharmacists should have checked the back story of every patient that came to them. "Outrageous" doesn't even begin to describe that position.

So now, five years later, Tricare is not only demanding its money back, it's authorized Express Scripts to take it — to claw it back before the pharmacists can even put together an appeal.

And yes, they can request an “administrative claims review.” They were given 90 days to prove that every one of these 2015 prescriptions came from a doctor who saw a patient face to face. And what's considered proof? The physician's word isn't good enough; Tricare wants *actual chart notes from the patient's visit*, which of course aren't available to the pharmacy.

Without a time machine, that's impossible. *There is no way pharmacists can produce records they were never required to keep.* The alternative is to try to contact every one of the hundreds or thousands of physicians who wrote those prescriptions in 2015 and hope they remember, if they haven't moved or retired.

Tricare and Express Scripts have put compounding pharmacies in an untenable position: They are presumed guilty until they can prove themselves innocent of a nebulous offense they've never been responsible for.

These egregious clawbacks need to be reversed, immediately. A quick, unscientific survey of a small group of compounders shows the average clawback to be about \$26,000 — money that, especially in this economy, neighborhood compounding pharmacies simply can't afford to pay. If Tricare believes these physicians acted improperly, it seems obvious that they're the ones who should be receiving letters.

Finally, without protection for the future, these pharmacies have few options: They can consider refusing Tricare prescriptions out of fear of having them questioned in half a decade. (That would risk violating their Express Scripts contracts.) Or they can manually verify each Tricare prescription by playing phone tag with the prescriber, thus delaying their patients' care.

They shouldn't be required to make that choice at all.

You can help spread the word

If you know a journalist or your members of Congress in your area, reach out. If you don't want your name used in the media, explain that you're not speaking for attribution, but can put them in touch with people at APC who can talk.

Not sure what to say? Here are a couple of suggestions to hopefully grab their attention:

The short version

Tricare is suddenly going after hundreds of compounding pharmacies across the country, trying to recoup thousands of dollars' from them because — Tricare claims — back in 2015 some physicians didn't meet with the patients they wrote prescriptions for. And somehow, it's the pharmacists' who have to pay.

This is something that came out of nowhere and it's seriously threatening my business and my patients — and a lot of other compounding pharmacists, too.

The slightly longer version

Starting a couple of weeks ago, Express Scripts (ESI), on behalf of Tricare, sent letters to hundreds of compounding pharmacists across the country. Tricare claimed that some prescriptions filled back in 2015 (!) were written by prescribers who, it claims, never met face-to-face with the servicemen or veteran patients or their dependents spouse or children.

The prescriptions were valid. They were for a wide variety of medicines, from magic mouthwash to hormone replacement therapy to pediatric heart-transplant drugs. And, of course, there's no way for a pharmacist like me to know how much time a doctor spends with a patient.

Regardless, ESI is now taking back (we call it "clawing back") thousands of dollars from these pharmacists ... unless they can somehow prove that, five years ago, these physicians met with these patients.

Obviously that's impossible, and it's absolutely nuts.

I can get you documents and people to speak with, but this is a story that needs to be told!

Post on social media

Let your friends, colleagues, and followers know what's going on. Here are some ideas for posts to Twitter, Facebook, LinkedIn, or wherever you share. (Feel free to copy, edit, make your own — all should be within Twitter's character limit.)

Get this: @ExpressScripts & @Tricare are telling pharmacists that a valid prescription from a military patient isn't enough! Pharmacists are supposed to verify that patients saw their physicians in-person! NOT the pharmacist's job! (Read more: <https://a4pcnews.com/tricareclawback>)

Can you imagine if #pharmacists had to prove that physicians and patients physically met for every military prescription brought in? That's what @Tricare & @ExpressScripts are telling pharmacists. Now they're trying to take back payments from 5 years ago! (Read more: <https://a4pcnews.com/tricareclawback>)

Hey @Tricare & @ExpressScripts: So now it's the pharmacist's job to prove that docs and military patients met in person before filling a Tricare prescription for compounded meds? That's just as absurd as clawing back our payments from 2015! (More: <https://a4pcnews.com/tricareclawback>)

Here's one where you can add the Twitter handle of your members of Congress:

Dear [@TWITTERHANDLE]: Please stop @Tricare from trying to claw back money I was paid in 2015! Tricare claims that #pharmacists should somehow verify that military patients actually met their physicians in person. That's crazy and NOT my job! More at: <https://a4pcnews.com/tricareclawback>