



1st March 2023

Circular 013/23

Re: Management of Owings by Community Pharmacy Contractors and Claim Enhancements

Dear Pharmacist

Contractors are aware that the HSE Primary Care Reimbursement Service (PCRS) has ongoing concerns in relation to the operation of “owings” and as a consequence has issued a series of communications (Letter 5 May 2016, Circular 018/18, Circular 025/19 and most recently Circular 030/22).

PCRS has confirmed through circular that *“In accordance with your Community Pharmacy Contractor Agreement with the HSE for the provision of services under GMS and Community Drug Schemes, pharmacists should only present a claim for reimbursement in respect of products which are supplied on foot of a valid prescription. It is recognised that there are occasions where an owing may occur:*

- 1. Where there is no supply of a medicine as the product is not in stock.*
- 2. Where there is a partial supply of product due to the full quantity of the product not being in stock.*

An owing (in respect of 1 and 2) should only occur in circumstances where there is a reasonable and genuine expectation that the patient will return in a short timeframe for the remainder of the product that was prescribed.”

HSE National Financial Regulations require that PCRS facilitates open and transparent accountability for the financial resources entrusted to it, including certainty of receipt of services and / or goods prior to payment.

From February 2023 (January claims) PCRS has required full electronic transparency of owings files/claims on claims submission. PCRS acknowledges that many pharmacies have already upgraded their software and are currently operating owings transparency.

PCRS is aware that certain pharmacies have engaged with their vendors and are currently unable to provide owings transparency due to ICT challenges. For pharmacies not operating software with owings transparency PCRS will, for a three month period (March, April and May 2023 claims), continue to make payment on the following basis:

- Owings claims should **not** be submitted for payment. Claims should only be submitted to PCRS where supply has been provided to the patient/or their representative
- The Supervising Pharmacist submits a monthly signed declaration advising that all items claimed have been supplied/provided to the patient and are **not** awaiting collection and that the pharmacy is operating in compliance with PCRS requirements (Appendix 1). This declaration should be sent to PCRS.PharmDeclaration@hse.ie at the time of claim submission to PCRS. The name and contractor number of the pharmacy must be entered in the subject line followed by the word 'Declaration'.

During this period pharmacy contractors are to arrange the activation of full owings transparency with their software vendor to ensure continued payments and:

- provide proof of a formal request to their software vendor to upgrade their dispensing software
- authorise their ICT software vendor to confirm to PCRS their upgrade date.

This information should be sent to PCRS.PharmDeclaration@hse.ie. The name and contractor number of the pharmacy must be entered in the subject line followed by the word 'Dispensing Software'.

PCRS requires all pharmacy contractors to establish if they have legacy owings issues i.e. if they made claims for items not supplied. PCRS will issue a separate circular in this regard. Where pharmacies make a full disclosure of invalid claims, PCRS will work with them to regularise affairs including full and immediate reimbursement to PCRS. In those circumstances, PCRS will commit to resolving issues without recourse to disciplinary or other processes.

Where a pharmacy does not make a declaration the PCRS views this as the pharmacy has no invalid owings to declare or they have opted not to make a disclosure of invalid owings claims.

A series of pharmacy inspections will be undertaken to verify the reasonableness of claims and ensure compliance with contract. In the event that PCRS, at any time in the future, discovers evidence of deleted owings, hidden owings, unregularised/undeclared owings or invalid declarations, it will use all recourse available to it in the context of potentially fraudulent claims. Any actions of the PCRS in this regard will not be confined to the contractor but also to any third party who potentially assisted in making claims for items where there was no intention to supply.

PCRS is grateful for the information which it has received from pharmacy contractors, pharmacists and pharmacy staff around owings. In the event that any individual has concerns they should be identified to PCRS at PCRS.ProbityPharm@hse.ie.

Finally, I understand that circular communications around these issues can raise frustration amongst those who are not involved in such practices. PCRS has always acknowledged that the majority of pharmacy claims are reasonable, valid and in compliance with contractual agreements. I regret any inconvenience caused to

individuals who are operating in accordance with contract. However, the PCRS is fulfilling its legal obligations in ensuring that public funds are utilised for the purpose for which they are intended.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Shaun Flanagan', with a stylized flourish at the end.

Shaun Flanagan
Primary Care Reimbursement Service



Appendix 1 (Circular 013/23)

Management of Owings

Monthly Declaration for Pharmacies not operating software with Owings Transparency

GMS Contract Number: _____

Month: _____

I declare that the items claimed have been supplied/provided to the patient/or their representative and are not awaiting collection.

This pharmacy is operating in compliance with the HSE requirements as set out in Circular 030/22 and Circular 013/23.

I attach evidence of my formal request to my software vendor to upgrade the pharmacy dispensing system.

I authorise my software vendor to confirm to PCRS the date when owings transparency will be available in the above pharmacy.

Signed by Supervising Pharmacist

PSI Registration Number: _____

Date: _____