



Feidhmeannacht na Seirbhíse Sláinte, an tSeirbhís Aisiocaíochta
Cúraim Phríomhúil
Bealach Amach 5, M50
An Bóthar Thuaidh, Fionnghlas, Baile Átha Cliath, D11 XKF3
Guthán: (01) 8647100

Health Service Executive, Primary Care
Reimbursement Service
Exit 5, M50
North Rod, Finglas, D11, D11 XKF3
Tel: (01) 8647100

Ref No: LP12073/SP

**Strictly Private and Confidential
For the Attention of Addressee only**

Mr. Garvan Lynch,
Superintendent Pharmacist,
Lynch's Pharmacy,
Broadale Commercial Centre,
Maryborough Hill,
Douglas,
Co. Cork
T12CX72

7th December 2023

Re: Bronze Trail Limited to Lynch's Pharmacy GMS No. 12073 Interim Claiming Arrangements

Dear Mr. Lynch,

I refer to the Community Pharmacy Contractor Agreement (the Contract) held by you with the HSE for the provision of services under the HSE Primary Care Community Drugs Schemes at Lynch's Pharmacy, Broadale Commercial Centre, Maryborough Hill, Douglas, Co. Cork. Under the terms of the Contractor Agreement, pharmacists should only present a claim for reimbursement to the HSE in respect of items which are supplied on foot of a properly completed prescription.

The HSE is obliged to satisfy itself as to reasonableness and accuracy of claims presented for payment and does this generally through the post processing review of paid claims.

The HSE may therefore conduct a review of claims presented for payment to ensure that they are satisfied with the accuracy and reasonableness of these claims, as set out in accordance with the Community Pharmacy Contractor Agreement, Contractor Circulars and the PCRS HSE Handbook.

The claims submitted by you for reimbursement were subject to review, as outlined above.

The following serious concerns were identified –

- A. Cross Scheme Claiming: Analysis of claims raised by Lynch's Pharmacy appeared to show a substantial number of incidences whereby items have been claimed for reimbursement and paid under both the GMS and LTI scheme in a short time frame or within the same month where the patient has both GMS and LTI eligibility, thus generating double payments.
- B. Excessive Claiming: Analysis of claims raised by Lynch's Pharmacy appeared to show instances of submitting an excess number of claims for the same medication for the same patient. The quantity of medication/devices purportedly supplied to the patient appears to be in excess of that required for a given year.



In accordance with the Contractor Agreement, on the 28 November 2023, the HSE conducted an inspection at Lynch's Pharmacy. I understand that you left the inspection within one hour of commencement and advised that the Duty Pharmacist would be in a position to answer all questions raised. The above concerns were raised with Ms Yasmin Golchin, Duty Pharmacist on the day of inspection. In addition the following concerns were identified on the day:

1. Submission of invalid claims where
 - a. Medicines / Medical Devices claimed appear to have not been supplied to patients.
 - b. Medicines / Medical Devices claimed did not fit the clinical profile of the patient.
 - c. Dispensing occurred in the absence of evidence of a valid prescription.
2. Failure to maintain
 - a. Appropriate claiming records.
3. Matters of clinical concern and patient safety concerns.

The HSE is extremely concerned with the nature of the review's findings and serious deficiencies encountered on the day of inspection. All claims submitted by Lynch's Pharmacy are currently under review and a report is being prepared for the HSE Probity Governance Group. There are a number of actions that the HSE Probity Governance Group may recommend on foot of this report including activating Clause 15 of the Contractor Agreement.

The HSE requires that you confirm that all records (including but not limited to, electronic materials, prescriptions, claim forms and PMRs) relating to claims that are the subject of the HSE's investigation are preserved and retained and that such records will be available for inspection.

In the interim, with effect from receipt of this communication **all claims** by Lynch's Pharmacy under **all Community Drugs Schemes** must be accompanied by the following in order for payment to be received:

1. A copy of a valid prescription on foot of which the item is supplied.
2. Signed third party verification by either the patient or their representative to confirm receipt of same.

Supporting paperwork must be received by PCRS by close of business on the 5th of each month.

Along with the above confirmation and while the investigation is ongoing, if you have any comments or observations to make, please do so within 28 days from receipt of this letter.

Yours sincerely,

Ms. Jennifer McCartan
Head of Pharmacy Contracting and Governance