

To: Senate Finance and Public Administration Committees
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PO Box 6100
Parliament House
CANBERRA ACT 2600

Ref: Medicare Audit of Dentists

Dear Senators

My Name is Dr Ved Berani and I am the principal dentist at Healthy Smiles Dental Group in Blackburn South, Victoria. I have been in this practice for the last 7 years and the practice has been servicing the local community for their dental needs for the last 35 years. I work here with a group of other dentists providing treatment to a broad patient base including pensioners and families.

My colleague Dr Jagruti Patel has also been practicing with me for the last 3 years.

In January I was asked by Medicare to complete a self audit check of compliance requirements for a sample audit of 20 patients. No prior notice was provided and a restrictive time frame was given.

By way of background, Medicare has a Chronic Disease Dental Scheme where eligible patients (determined by their General Practitioner) can access funding towards their dental treatment. Both I and my colleague Dr Jagruti agreed to work under this Scheme in good faith and provided the treatment at many instances at a fraction of our regular fees and sometimes absorbing the cost of laboratory components of the treatment. We have now been informed that we have not met 2 paperwork requirements and that Medicare are likely to seek to recover all fees that have been paid to the practice despite the fact that the work has been performed.

The 2 paperwork requirements are a letter to the GP at the commencement of the treatment and the provision of a written treatment plan, incorporating an itemized quotation, to the patient.

The fact is that I was completely unaware of these requirements, as were almost all dentists across Australia.

As a dentist, I have no experience with a Medicare Scheme. I had previously performed work under the Teen Dental Scheme and Veteran's Affairs Program but there were no such paperwork requirements in these Schemes.

I was not clearly informed, or properly educated about these requirements. At no stage was it made clear that if these paperwork/administrative letters were not sent, Medicare would or could seek recovery of all fees billed for work performed. The fact that there are so many dentists that did not complete the paperwork is itself illustrative itself of a lack of effective education on the part of Medicare. You would think that if it was so important, Medicare would have realized the problem well before now, years after the start of the Scheme.

I find it unfathomable that Medicare can now demand recovery of all the benefits paid in circumstances where:

- we did the work that was necessary;
- we did the work appropriately;
- we did all of the work with the express consent of the patient after all treatment options were discussed;
- we obtained valid referrals from the GP;
- where the patient is completely satisfied with the treatment; and
- where the GPs quite frankly, do not have any understanding nor interest in knowing what treatment was performed. If the GP needed to know, they could seek information.

Medicare is seeking to recover the total fee billed even when laboratory fees have been paid.

I voluntarily completed the self audit believing that in doing so, Medicare would value that cooperation and that it would already have been obvious to Medicare that only in recent times have most dentists become aware of the requirements. I expected to receive a letter pointing out what they say are the requirements and warning of the necessity to meet these, going forth. Instead I am now facing the likelihood of a demand for all treatment fees I have rendered to all patients since the inception of the Scheme in 2007.

My patients are satisfied with the treatment. The patient's treatment was not compromised by any failure to write to the GP and to give the patient a written itemized treatment plan. The patient consented to the work and the work was done to their satisfaction and with their consent.

Now we are informed by our patients that despite completing the audit document Medicare are writing to our patients asking them to provide information about their dental treatments provided over 2 years ago.

As many as 40 of my patients have approached us to help them understand and assist in responding to these Medicare questionnaires which begs to question the reliability of the responses on which Medicare is going to base their claim for recovery of the monies. These patients are mostly elderly and already suffering from chronic health conditions and have a hard time keeping up with their own health. They have complained to us about these audits when all treatments had been provided to them and they were happy with the outcomes of these treatments. The patients are very angry and offended to be contacted by Medicare.

We are suffering as a practice on the business level and also on a personal level since January and this has been going on for over 11 months now. We have had to spend over 200 hours recompiling all our paperwork and writing to all patients and GPs. This was done in the belief that Medicare treat us like professionals because once aware of Medicare's expectations, we tried to adhere to their alleged requirements. Medicare had apparently told ADA Inc, our professional association that this would be looked upon favourably (but it hasn't). This has taken a personal and professional toll over me and my colleagues and staff at the Practice and our families.

Now as a group we dentists are considering why I ever took up this scheme.

We are offended by the constant barrage of headlines suggesting dentists are rorting the system. It is simply untrue and is causing irreparable damage to the reputation of dentists in the general community. The vast majorities of dentists currently being audited were innocently unaware of the paperwork so called requirement and did the work in good faith and yet now face recovery. The whole thing smacks of Medicare trying to justify to the public its efforts to recoup money on a Scheme that it never wanted and where the budget has blown out.

It is plainly unjust and unconscionable for any Government entity, or anyone for that matter, to seek recovery of all treatment fees in circumstances where a person was innocently unaware of the requirements and performed the work appropriately, with the patients consent and in a manner that accords with good practice. If such issues were brought to a disciplinary forum such as AHPRA we would expect a simple reprimand, caution and education.

I request you to look into the matter and approach the Hon Minister for Health and Human services to put forward our grievances. I look forward to hearing from you.

Sincerely

Best regards

Dr Ved Berani
Principal Dentist