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Committee Secretary
Senate Standing Committees on Community Affairs
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Parliament House
CANBERRA ACT 2600

Dear Secretary

The AMA would like to provide the following information, taken on notice at the Committee's hearing on the Professional Services Review today.

AMA Poll on Medicare audits

As at 2.30pm today, 88% (307 votes) voted Yes, and 12% (43 votes) voted No.

Feedback on performance of PSR panel members for re-appointment

We are not able to identify from our records that any medical college has commented negatively on the performance of an individual as a PSR Committee member, as part of consultation on re-appointments.

Ability to obtain written advice on MBS item interpretations

Medicare established a dedicated email address (medicare_prov@medicareaustralia.gov.au) for medical practitioners to seek written advice on MBS item interpretations. We are not aware of the exact date that this email address was established and posted on the Medicare website, but estimate it to be in or after August 2010.

AHPRA assessment of practice versus PSR assessment of practice

Under the *Health Practitioner Regulation National Law Act 2009* there are two aspects to the conduct of practitioners that may be reviewed by the relevant registration board.

Subsection 140(d) provides for mandatory notifications to be made by health practitioners where that practitioner forms a reasonable belief that another health practitioner has placed the public at risk of harm because the practitioner has practised the profession in a way that constitutes a significant departure from accepted professional standards.

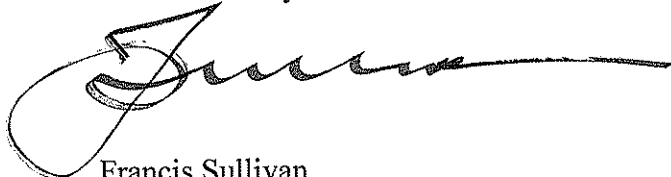
Subsection 144(1) provides for voluntary notifications to be made about a registered health practitioner on any of the following grounds—

- a) that the practitioner's professional conduct is, or may be, of a lesser standard than that which might reasonably be expected of the practitioner by the public or the
- b) practitioner's professional peers;
- c) that the knowledge, skill or judgment possessed, or care exercised by, the practitioner in the practice of the practitioner's health profession is, or may be, below the standard reasonably expected;
- d) that the practitioner is not, or may not be, a suitable person to hold registration in the health profession, including, for example, that the practitioner is not a fit and proper person to be registered in the profession;
- e) that the practitioner has, or may have, an impairment;
- f) that the practitioner has, or may have, contravened this Law;
- g) that the practitioner has, or may have, contravened a condition of the practitioner's registration or an undertaking given by the practitioner to a National Board.

Section 82 of the *Health Insurance Act 1973* defines *inappropriate practice* for the purposes of the PSR scheme as:

A practitioner engages in inappropriate practice if the practitioner's conduct in connection with rendering or initiating services is such that a Committee could reasonably conclude that ... if the practitioner rendered or initiated the services as a general practitioner (or specialist or consultant physician) the conduct would be unacceptable to the general body of general practitioners (or specialists or consultant physicians) in that speciality.

Yours sincerely



Francis Sullivan
Secretary General

23 September 2011