

### **Submissions made by, and on behalf of, Dr Masters**

- 14 By letter dated 4 November 2009, I invited Dr Masters to make a submission before I made my final decision about what action I should take in relation to the review.
- 15 Dr Masters, through his legal advisers, made submissions dated 15 December 2009. I have taken those submissions into account when deciding what action I should take.
- 16 In relation to MBS item 36 services, Dr Masters states in his submissions that it might be argued that some of the records of his consultations lacked detail of clinical information. However, Dr Masters also states that the MBS item 36 services provided were claimed in circumstances where the service actually provided was in accordance with the MBS descriptor. To address the issue of record keeping, Dr Masters states he has increased the time he spends following his patient consultations to ensure he has sufficient time to record comprehensive notes.
- 17 In relation to MBS item 50124 services, Dr Masters states in his submissions that some of his records lacked adequate detail of clinical information. However, Dr Masters also states that the MBS item 50124 services provided were claimed in circumstances where the service actually provided was in accordance with the MBS

descriptor. Dr Masters states that his records may not have complied with the standard of an adequate record as he may have used shorthand to describe his techniques or perhaps mis-keyed one of the short cut buttons when using Medical Director software. Dr Masters also states that he does not expect the administering of MBS item 50124 services to be an issue in the future as this MBS item no longer exists.

- 18 In relation to PBS item 08385H, Dr Masters states in his submissions that since the review period he has improved the level of detail contained in his notes when prescribing this PBS item. In addition, Dr Masters states that since my meeting with him on 28 October 2009 he has reviewed all prescriptions for this PBS item to ensure they comply with the PBS requirements.