

Senate Finance and Public Administration Standing Committee
ANSWERS TO QUESTIONS ON NOTICE
BUDGET ESTIMATES – 28 May 2009

Human Services Portfolio

Department/Agency: Medicare Australia

Outcome/Output Group: Outcome 1 / Output Group 1

Topic: Compliance

Senator: Bernardi

Question reference number: HS15

Type of question: Hansard F&PA 105, 28 May 2009

Date set by the committee for the return of answer: 10 July 2009

Question

HS15: Mr Bridge—If I could go back to the suspension issue and clarify one point. Doctors can be suspended after there has been a criminal finding against them.

Senator BERNARDI—By Medicare or the AMA?

Mr Bridge—No, a separate body altogether. It is a party called the Medicare Participation Review Committee, which is a committee of doctors and a lawyer. We refer them there. They have the power to suspend.

Senator BERNARDI—How many doctors have been suspended through that body?

Mr Bridge—I do not have that figure with me.

Senator BERNARDI—Would you be able to find it for me? I would be interested in that.

Answer

HS15: The Medicare Participation Review Committee (MPRC) is an independent statutory committee established under *Part VB of the Health Insurance Act 1973*. The MPRC makes independent determinations on whether a provider or, where relevant, a person should maintain the right to participate in Medicare. The MPRC can review an individual's access to Medicare when:

- a provider has been convicted of relevant criminal offences
- a provider has been found to have engaged in inappropriate practice on two separate occasions under the Professional Services Review (PSR) Scheme
- a provider or pathology company is reasonably believed to have breached a pathology undertaking.

In relation to convicted providers or for matters relating to inappropriate practice referred by the Director of PSR, the MPRC can determine that:

- no further action be taken

- the provider be reprimanded
- the provider be counselled
- the provider be partially or fully disqualified from Medicare for a particular period or in relation to particular services for up to five (5) years.

The primary function of Medicare Australia is to administer the payment of benefits. However, other functions of Medicare Australia, set out in Section 14 of the *Medicare Australia (Functions of CEO) Direction 2005*, include the secretariat role to independent statutory committees such as the MPRC.

In 2009, as at 28 May, 12 providers have been referred to the MPRC with five hearings held. Three determinations have been made with one provider being fully disqualified from all access to Medicare for 26 weeks. The other two hearings resulted in no further action.

The MPRC process can take several months given necessary appeal and notice requirements. Consequently, cases referred in one year may not be heard or determined until the following year.

Charts and tables for the past five years are included below.

2005-2009 MPRC Referrals and Hearings Held

	Criminal Referrals	PSR Referrals	Pathology Referrals	Hearings Held
2004	4	1	2	5
2005	5	1		7
2006	3	1		4
2007	1			1
2008	1	8		10
2009	3	4		5

2005-2009 MPRC Outcomes

	Determinations	Reprimand	Disqualified	No further action	Determination Pending	Administrative Appeals Tribunal	Hearing to be held
2004	3		2	1			
2005	8		6	2		1	
2006	4	2	2				
2007	1		1				
2008	8	1	6	1		2	
2009	3		1	2	4		2

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