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## After-hours contracts alarm GPs

28 May, 2013 Paul Smith 7 comments

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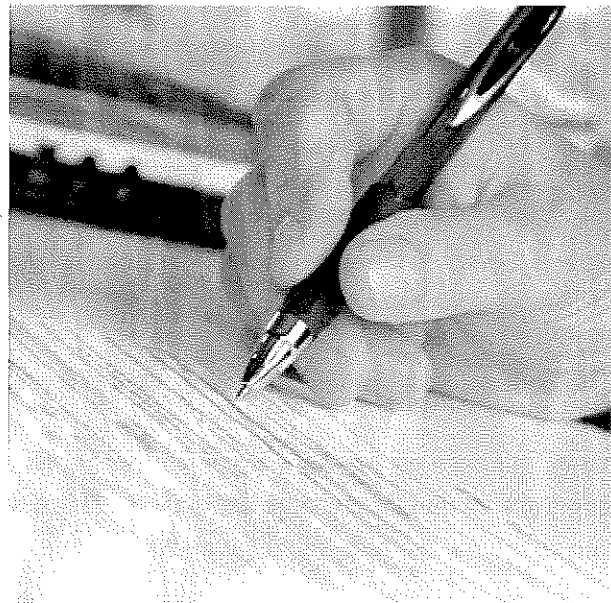
GPs are being asked to sign after-hours funding contracts giving government officials the right to enter their practices and “inspect and copy” records and documents.

From July practices across Australia will lose around \$60 million in Practice Incentives Program payments with the money redirected to Medicare Locals to co-ordinate after-hours services.

In the run-up to the change, Medicare Locals have been contracting practices to provide after-hours cover but there is growing concern about the additional obligations in the fine print.

Controversial “search and seize” clauses — apparently demanded by the Department of Health and Ageing — are listed in a 16-page contract sent by Metro North Brisbane Medicare Local to more than 170 local practices.

The clause states that practices must allow the Federal Government or its “nominated representatives” access to their premises to “inspect and copy the [practice’s] relevant records, documents and equipment”.



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The clause is meant to allow inspectors “to verify” whether the practice is complying with the terms of the funding contract, but it is unclear whether they could compel doctors to grant access to patient medical records.

Practices will also have to pay the costs of the inspection if it is subsequently shown to have failed to comply with contract.

The wording has alarmed local practices, which then contacted the AMA and were urged to seek legal advice before signing.

So far about 80 of the 179 practices contacted by the Medicare Local have yet to put their names to the contracts, although *Australian Doctor* understands this issue is responsible for only a small proportion of these.

The health department had not responded to *Australian Doctor's* questions last week.

But Abbe Anderson, CEO of Metro North Brisbane Medicare Local, said her organisation had no intention of inspecting general practices.

“There is no reason for us to do that,” she said. “[These clauses] are a requirement placed on us by the Department of Health. We could not fulfil our own contract with the department unless they were included.”

She said local practices were signing up and the concerns expressed by a handful of GPs were being allayed. She said there was no concern that after-hours services in the area would be affected when the July deadline passes.

“The contracts are coming back to us daily,” she added.

But AMA president Dr Steve Hambleton said: “None of these clauses [about accessing and copying records] was required when claiming PIP. There was no demand to access records. Now there is this long repetitive contract with a list of clauses in it.

“Local practices have contacted the AMA and we’ve told them that the best option is to seek legal advice. You don’t put clauses in a contract unless you feel you need to use them.”

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