

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH AND AGEING PORTFOLIO

Supplementary Budget Estimates 2010-2011, 20 October 2010

Question: E10-269

OUTCOME 3: Access to Medical Services

Topic: MEDICARE - BULK BILLING

Written Question on Notice

Senator Fierravanti-Wells asked:

- a) If a doctor is working at a public hospital on a salaried basis can he/she also bill Medicare for services performed while working on a paid public basis?
- b) If such a matter were to occur would it be a breach of Federal law?
- c) Does Medicare investigate allegations of such behaviour?
- d) Has anyone ever been charged and/or prosecuted for such behaviour and if so what was the outcome?
- e) How many hospitals and doctors have been investigated in 2009 and 2010 for billing Medicare while working on hospital salaried hours?
- f) Which hospitals have been investigated?
- g) What has been the outcome of those investigations?
- h) Have any matters been referred to the Department of Public Prosecutions for possible legal action?
- i) Will any matters be referred to the Department of Public Prosecutions?
- j) What action does Medicare intend to take in these matters?

Answer:

- a) A doctor working at a public hospital on a salaried basis generally cannot bill Medicare for services performed while working on a paid public basis.
- b) Depending on the circumstances, this may be a breach of subsection 19(2) of the *Health Insurance Act 1973*.

Under subsection 19(2) of the *Health Insurance Act 1973*, Medicare benefits are not payable where services are provided under an arrangement with a state or territory government. This occurs where a service has been provided in a public hospital and where the doctor was not using rights of private practice.

Some medical practitioners employed in public hospitals are able to exercise rights of private practice while working in those hospitals. Under rights of private practice, doctors may provide services to private patients. These services are eligible for Medicare benefits.

c – j)

These questions are for the Department of Human Services.