

Corporates face tough new laws for MBS abuse

They will be forced to repay rebates over inappropriate claims



Antony Scholefield | 11th July 2018

2 Comments



Corporates that pressure GPs to make inappropriate MBS claims will be forced to repay rebates from their own pockets from July next year under new laws passed by federal Parliament.

There have been long-running concerns about the way doctors are ordered to pay back the full value of inappropriate claims even after they have given a large slice of their billing to contractors.

This applies even if the contractor's employees 'up-code' Medicare claims without the doctor's knowledge.

Last month, new laws finally passed Parliament extending the reach of the Medicare compliance regimen to account for the role contractors now play in billing.

The Professional Services Review cited a case several years ago of an IMG who billed more than 1000 chronic disease management items in a year.

The doctor told the watchdog that a senior staff member at the corporate where he worked encouraged him to claim more care plan items because his billings were “well behind” other doctors.

The new laws, which received bipartisan support, will give the watchdog powers to order any contractor to repay some or all on the rebates, depending on the extent of the contractor's role in the doctor's inappropriate claims.

The AMA wants corporates to repay the whole value if they coerce doctors to rort the system.

If both doctor and corporate are held responsible, the AMA says the repayments should be split according to the percentage of the billings the GP normally keeps.

The new laws allow the Department of Human Services to chase Medicare debts by withholding up to 20% of a doctor's bulk-billed claims if they refuse to negotiate repayment agreements.

The department will also have powers to make legal applications to take the repayments directly out of a doctor's bank account as a last resort.

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