



**The Royal Australian  
and New Zealand  
College of Obstetricians  
and Gynaecologists**  
*Excellence in Women's Health*

3 March 2017

Australian Competition & Consumer Commission  
360 Elizabeth Street  
Melbourne Central  
Melbourne VIC 3000

Dear Mr Salisbury

**Re: RANZCOG feedback for contribution to ACCC Senate report**

RANZCOG is the lead standards body in women's health in Australia and New Zealand, with responsibility for postgraduate education, accreditation, recertification and the continuing professional development of practitioners in women's health, including both specialist obstetricians and gynaecologists, and GP obstetricians.

We would like to thank you for the opportunity to provide a submission to contribute to your annual report to the Senate on 'any anti-competitive or other practices by health funds or providers which reduce the extent of health cover for consumers and increase their out of pocket medical or other expenses'.

RANZCOG wishes to raise the issue of recent changes to the terms and conditions that have been introduced by certain private health insurers with regard to those practitioners participating in 'gap cover' schemes.

These terms, conditions and business rules state that providers must agree without option to disclosure of practitioner information without the opportunity to 'opt-out' of the publishing of such information. This information includes personal information (name, practice address and other contact details), field of practice and additional qualifications and information (including past claims data) relating to services rendered and participation in the particular insurance scheme. The conditions also require the disclosure of information relating to charges rendered and quality of service.

Whilst RANZCOG encourages practitioners to seek feedback regarding patient satisfaction, the College is concerned that the publication of uncensored feedback without practitioner consent may be potentially misleading to patients and unfair to clinicians. The potential for social influence bias (positive ratings leading to more positive ratings) and 'doctor shopping' based on a ratings or cost basis is of concern and may compromise the health care outcomes for the patients concerned.

RANZCOG is of the opinion that that these changes have been mandated without the opportunity to negotiate contract terms which may be in contravention of the *Competition and Consumer Act 2010* (i.e. Volume 3, Schedule 2, Part 3 – 4 amended November 2016 – unfair contract terms) and believe that providers should have the right to negotiate terms should they wish to continue their participation in the respective schemes.

We would like to thank you for the opportunity to raise this matter with you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alana Killen', with a stylized flourish at the end.

Alana Killen  
**Chief Executive Officer**

Ref number: 17/0071

cc Professor Steve Robson, President RANZCOG