

Kulakowski-Rupert, Julia

From: Fiona Calodoucas [Fiona@apodc.com.au]
Sent: Tuesday, 25 September 2012 5:00 PM
To: phireport
Cc: APodC CEO
Subject: TRIM: ACCC
Attachments: ACCC Submission.pdf

Follow Up Flag: Follow up
Flag Status: Completed

TRIM Record Number: D12/143074

Dear Mr Cooper,

Thank you for allowing us to have the extension, and as agreed our submission is attached.

Kind Regards

Fiona Calodoucas
Executive Co-ordinator | Membership & Relationship Manager



Australasian Podiatry Council
First in foot health

89 Nicholson Street Brunswick East VIC 3057 Australia
T: +61 3 9416 3111 F: +61 3 9416 3188 E: fiona@apodc.com.au
Website: <http://www.apodc.com.au/>



89 Nicholson Street, Brunswick East Vic 3057
Phone: +61 3 9416 3111 \ Fax: +61 3 9416 3188
Email: apodc@apodc.com.au \ Web: www.apodc.com.au

Australasian Podiatry Council

ABN: 24 008 488 748

Mr Bruce Cooper
General Manager
Intelligence, Infocentre and Policy Liaison Branch
Australian Competition & Consumer Commission
GPO Box 3131
Canberra ACT 2601

phireport@acc.gov.au

Dear Mr Cooper

ACCC Report to Senate on Private Health Insurance

As the peak body for the podiatry profession, we thank you for the opportunity to provide information specific to the profession of podiatry relating to the operation of private health insurers. The failure of health funds to properly recognise treatments provided by podiatrists impacts on consumer access to quality care and increases out-of-pocket expenses.

Under the *Health Insurance Act 1973* until 2004, private health insurance funds were not able to pay benefits from their hospital tables for foot surgery performed by podiatric surgeons. However, under the *Health Legislation Amendment (Podiatric Surgery and Other Matters) Bill 2004*, amendments enabled private health insurance funds to provide benefits, under hospital cover policies, for the hospital treatment costs - accommodation and nursing care costs - associated with foot surgery performed on admitted patients by accredited podiatrists i.e. podiatric surgeons. The amendments (Subsection 3AAA(2) of the *Health Insurance Act 1973* specifically referred to the inclusion of accredited podiatrists under the definition of 'professional attention' which previously addressed treatment only performed by or under the supervision of medical practitioners, nurses with obstetric qualifications and dental practitioners.

Many years of foot and ankle surgery provided by podiatric surgeons has demonstrated that surgery is performed safely and cost effectively. However, patients receiving podiatric surgery by accredited podiatrists rather than specialist medical practitioners practicing in orthopaedic surgery have greater out-of-pocket expenses as they are not entitled to rebates for surgical and anaesthetic services.

Podiatrists accredited as a podiatric surgeon attained specialist registration as podiatric surgeons with the introduction of the *Health Practitioner Regulation National Law Act 2009 (National Law)* from 1 July 2010. Medicare Benefits Schedule (MBS) items for foot and ankle surgery are not yet available for surgical services provided by podiatric surgeons and private health funds claim that until podiatric surgeons are recognised as providers of relevant MBS items for foot and ankle surgery, consideration will not be given for additional

rebates for consumers. This argument appears to be a convenient way of shifting blame as there are clear mechanisms through national registration for identification of safe, appropriately skilled providers and there are no structural barriers to these services being covered under insurance. There is good evidence to support the efficacy and safety of podiatric surgeons as providers and consumers should have access to this choice without facing discrimination on rebates.

A separate submission addressing these issues has also been made by the Australasian College of Podiatric Surgeons (ACPS) being reinforced with additional information provided and expanding on issues of anti-competitive disadvantage and increasing out of pocket costs for consumers. The Australasian Podiatry Council supports the ACPS submission.

In addition, the Australasian Podiatry Council recognise the evolving nature of the health workforce and the significant challenges faced by health funds in determining competency in the provision of specific services. For example, many health funds provide rebates for services specifically along professional lines where it may be argued that some individual providers have appropriate skills and knowledge to render services beyond the general scope of their profession. In the absence of separate registration classes (eg. specialist registration for podiatric surgeons) or a reliable competency based assessment framework, we acknowledge the need to use professional boundaries as a mechanism for determining rebates and coverage.

Should you require any additional information on any of these issues I can be contacted on president@apode.com.au and Mr Damian Mitsch, CEO can be contacted by mobile 0403 372 900 or email ceo@apode.com.au.

Yours sincerely



Andrew Schox
President