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Date: 30/11/2008

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Attention : Monica Webb

Following is my submission regarding St Vincents Pvt Hospital

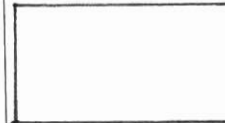
Thank you

Steve Klugman

AUST. COMPETITION &  
CONSUMER COMMISSION

- 1 DEC 2008

Dr Stephen Klugman  
Specialist Anaesthetist  
MBChB, FRCP



30/11/2008

EXCLUDED FROM  
PUBLIC REGISTER

Submission regarding Exclusive Dealing Notification N9345

I am a specialist anaesthetist in private practice at numerous hospitals in NSW, including Prince of Wales, St George, Sydney Private and St Lukes. I am most troubled by the recent action on the part of St Vincent's Pvt Hospital.

Recently a surgeon I had been working with moved to St Vincent's Private. It is well known in the medical community that the anaesthetic department is tightly controlled at St Vincent's and they appoint anaesthetists to surgeon's lists. My colleague who also worked with said surgeon, applied to St Vincent's Pvt for accreditation. He was turned down on the basis that he did not work at the public hospital, which they claim was in the bylaws but was in fact not! It appears that the hospital is subsequently applying for exemption from the trade practices act. I was awaiting the outcome of his application before I put in my own application to follow the surgeon.

I have not been turned down at any hospital thus far as I meet the requirements to practice as a specialist anaesthetist. I would have thought that was the most important criteria along with fitness to practice.

The issue regarding public appointments may be addressed by the fact that many anaesthetists have public appointments elsewhere. This surely meets the so called substantial benefit to the public.

I would happily become an accredited VMO at St Vincent's Public hospital. Is the public hospital prepared to appoint all anaesthetists who wish to be accredited at St Vincent's Private?

Why should St Vincent's Private be the only hospital in NSW, possibly Australia to restrict accreditation?

Sincerely

Stephen Klugman