

20 August 2020

Susan Philp  
Director Adjudication  
23 Marcus Clarke St  
Canberra  
ACT 2601

By email: [adjudication@accc.gov.au](mailto:adjudication@accc.gov.au)

Dear Ms Philp,

**ASA Submission – The AMA (NSW) application – VMO collective bargaining AA1000511 – draft determination**

The Australian Society of Anaesthetists (ASA) is the peak body and leading representative of the professional and economic interests of Australian anaesthetists. The ASA was established in 1934, and represents Australian anaesthetists ensuring the high standards of the profession.

As front-line healthcare workers the SARS-CoV-2 pandemic has caused anaesthetist Visiting Medical Officers (VMOs) to be in situations where individuals are faced with unfavourable contracts for services between the Private Hospital operator and the VMO. VMO anaesthetists engaged to provide medical services to public patients are unable to negotiate with the Private Hospital operators on an individual capacity. Granting the authorisation will continue to allow the AMA (NSW) to advocate for the contractual arrangements and rights and interest of VMO anaesthetists through these unprecedented times. It is extremely important for there to be mechanisms in place to assist independent contractors in achieving fairer and more efficient outcomes in their negotiations with larger organisations.

The ASA supports the ACCC proposal to grant conditional authorisation to the AMA (NSW) any participating VMOs to collectively negotiate with Private Hospital Operators regarding the terms and conditions (including remuneration) for VMOs engaged to provide medical services to public patients in the NSW private hospital system in responding to the Pandemic until 30 September 2021.

If you require any further information or would like to discuss further, please do not hesitate to contact Ms Jacintha Victor John, Policy Manager on [REDACTED] or via email [REDACTED] in the first instance.

Yours sincerely,



**Dr Suzi Nou**  
President  
Australian Society of Anaesthetists



**Dr Lan-Hoa Le**  
Chair, NSW Committee of Management  
Australian Society of Anaesthetists