

s47E(c), s47F

From: AskMBS
Sent: Monday, 22 April 2024 2:56 PM
To: s47F
Subject: Your enquiry has been resolved -s47G - RE: Fluoroscopic Examination

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Reference: s47G

Subject: RE: Fluoroscopic Examination

Dear s47F

We are writing in response to your recent enquiry, submitted to the Department of Health and Aged Care's AskMBS advice service on 09/04/2024.

The time requirements stipulated in the fluoroscopy items refer to the time spent providing fluoroscopy using a mobile image intensifier in conjunction with a surgical procedure.

These time requirements refer to the duration of the use of fluoroscopy, not the total duration of the procedure itself.

Please remember under MBS claiming arrangements, it is the responsibility of the health care professional claiming the service to ensure that all requirements of the relevant MBS item, as detailed in the item descriptor and associated explanatory notes, have been met and the service provided is clinically relevant. A service is considered clinically relevant if it is generally accepted in the profession as necessary for the appropriate treatment of the patient.

It is the claiming practitioner's responsibility to consider the clinical circumstances of any services rendered and to determine the appropriate MBS item(s) to claim, if any. They should also exercise care to ensure that their conduct in relation to rendering and requesting services cannot be characterised as inappropriate practice (i.e. practice that a practitioner's peers could reasonably conclude was unacceptable to the general body of their profession).

Should you require further clarification please contact AskMBS@health.gov.au, quoting reference s47G

AskMBS publishes advisories which summarise frequently asked questions and answers on related topics about the correct billing of MBS items. Please see these at the following link: <https://www1.health.gov.au/internet/main/publishing.nsf/Content/AskMBS-Email-Advice-Service>.

We invite you to provide feedback at the link below about this AskMBS response and any other recent interactions with the AskMBS advice service. You will not be required to provide any personal or identifying information and your response will be treated in confidence.

[Feedback Survey Link](#)

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AskMBS provides Medicare claiming information specific to the circumstances of each enquiry. This response has been prepared specifically for the circumstances given in your enquiry to help you make an informed decision. This response is not general guidance and therefore may not be suitable for application to other claiming situations, including variations of this enquiry, without further consultation with the Department of Health and Aged Care. Similarly, responses previously provided by AskMBS may be unsuitable or inappropriate for application to this enquiry. This response is not legal advice and providers may wish to obtain their own independent legal advice to ensure they comply with their obligations.

Yours sincerely

AskMBS

Department of Health and Aged Care

E: askmbs@health.gov.au

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The Australian Government Department of Health and Aged Care (Department) is bound by the Privacy Act 1988 and the Australian Privacy Principles (APPs).

The Department is collecting this personal information about you for the primary purpose of responding to your enquiry and providing authoritative advice on issues related to Medicare Benefits Schedule (MBS) items, explanatory notes and associated legislation to assist with the correct billing of MBS services. Your information may also be used for other purposes such as monitoring trends in the issues raised in AskMBS enquiries, and linking enquiries from the same client to inform a response.

You can get more information about the way in which the Department will manage your personal information, including the AskMBS privacy policy, at www1.health.gov.au/internet/main/publishing.nsf/Content/AskMBS-Email-Advice-Service.

Please note that this email and attachments may contain confidential or legally privileged information. If you receive this email in error, please delete it and contact the sender immediately.

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From: s47F
Sent: 9 Apr 2024 05:26:10
To: ASKMBS@health.gov.au
Subject: RE: Fluoroscopic Examination

REMINDER: Think before you click! This email originated from outside our organisation. Only click links or open attachments if you recognise the sender and know the content is safe.

Good afternoon,

RE: Fluoroscopic Examination

I am seeking clarification regarding the billing of MBS Items 60506 and 60509.

The description for MBS Item 60506 is “Fluoroscopy using a mobile image intensifier, in conjunction with a surgical procedure lasting less than 1 hour, not being a service associated with a service to which another item in this Group applies”.

The description for MBS Item 60509 is “Fluoroscopy using a mobile image intensifier, in conjunction with a surgical procedure lasting 1 hour or more, not being a service associated with a service to which another item in this Group applies”.

Could you please clarify if the phrases “in conjunction with a surgical procedure lasting less than 1 hour” and “in conjunction with a surgical procedure lasting 1 hour or more” refer to the duration of the associated procedure rather than the duration of the fluoroscopy?

Many thanks,

s47F

s47F



s47F

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s47E(c), s47F

From: s47E(c), s47F
Sent: Tuesday, 23 April 2024 10:16 AM
To: s47E(c), s47F
Cc: s47E(c), s47F
Subject: FW: response to questions [SEC=OFFICIAL]

Importance: High

FYI

s47E(c), s47F

Director – Professional Review Section
Health Professionals Compliance Branch

Benefits Integrity Division | Health Resourcing Group
 Australian Government, Department of Health and Aged Care
 T: 02 6289 s47E(c), s47F | E: s47E(c), s47F @health.gov.au
 Location: Sirius 6.S.248
 GPO Box 9848, Canberra ACT 2601, Australia

The Department of Health and Aged Care acknowledges First Nations peoples as the Traditional Owners of Country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to all Elders both past and present.

From: MCEACHRAN, Anthony s47E(c), s47F @Health.gov.au>
Sent: Tuesday, April 23, 2024 10:14 AM
To: LAKE, Christopher s47E(c), s47F @health.gov.au>
Cc: s47E(c), s47F @health.gov.au>; s47E(c), s47F @health.gov.au>; BIDInputs s47E(d) @health.gov.au>
Subject: FW: response to questions [SEC=OFFICIAL]
Importance: High

Hi Chris

My thanks to s47E(c), s47F for pulling together consolidated feedback from us. There are some suggested edits and content below. Red is suggested text, strikethrough is what we recommend is omitted.

Let us know if you need anything more.

Cheers,

Anthony

Anthony McEachran [he/him]
Assistant Secretary - Health Professionals Compliance Branch

Benefits Integrity Division | Health Resourcing Group
 Australian Government Department of Health and Aged Care
 M: s47E(c), s47F | E: s47E(c), s47F @health.gov.au

Location: Sirius 6.S.135
 PO Box 9848, Canberra ACT 2601, Australia

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From: s47E(c), s47F @health.gov.au>
Sent: Tuesday, April 23, 2024 10:05 AM
To: MCEACHRAN, Anthony s47E(c), s47F @Health.gov.au>
Subject: FW: response to questions [SEC=OFFICIAL]
Importance: High

Hi

My suggested inclusions below in red text.

s47E(d), s47C, s47G

Regards

s47E(c), s47F

Director – Professional Review Section
Health Professionals Compliance Branch

Benefits Integrity Division | Health Resourcing Group
Australian Government, Department of Health and Aged Care
T: 02 6289 s47E(c), s47F | E: s47E(c), s47F @health.gov.au
Location: Sirius 6.S.248
GPO Box 9848, Canberra ACT 2601, Australia

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From: LAKE, Christopher s47E(c), s47F @health.gov.au>
Sent: Tuesday, April 23, 2024 8:48 AM
To: MCEACHRAN, Anthony s47E(c), s47F @Health.gov.au>; s47E(c), s47F @health.gov.au>
Cc: s47E(c), s47F @health.gov.au>; BIDInputs s47E(d) @health.gov.au>
Subject: FW: response to questions [SEC=OFFICIAL]
Importance: High

Hi Anthony and s47E(c), s47F

Following on from my email last night, please see that the question I sent to you has been clarified in the highlighted below.

s47C

s47C

If you need to discuss before providing input, please let me know.

Cheers

Chris

Chris Lake

A/g Assistant Secretary – Compliance Risk and Provider Engagement Branch

Benefits Integrity Division | Health Resourcing Group

Australian Government Department of Health and Aged Care

T: §47E(c), s47F | M: §47E(c), s47F | E: §47E(c), s47F [health.gov.au](mailto:§47E(c), s47F@health.gov.au)

Location: 160 Ann Street, Brisbane QLD 4000

GPO Box 9848, Brisbane QLD 4001, Australia

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From: BIDInputs §47E(d) [@health.gov.au](mailto:§47E(d)@health.gov.au)>

Sent: Tuesday, April 23, 2024 7:58 AM

To: LAKE, Christopher §47E(c), s47F [@health.gov.au](mailto:§47E(c), s47F@health.gov.au)>; §47E(c), s47F [@health.gov.au](mailto:§47E(c), s47F@health.gov.au)>

Cc: JIN, Hongxia §47E(c), s47F [@health.gov.au](mailto:§47E(c), s47F@health.gov.au)>

Subject: FW: response to questions [SEC=OFFICIAL]

Good morning

Just for your awareness, §47F wrote back to the Minister office, clarifying one question below (highlighted in yellow)

Kind Regards

s47E(c), s47F

Executive Officer
 Acting Director Parliamentary, Media and Cultural Change
 Hongxia Jin
 Acting First Assistant Secretary
 Benefits Integrity Division

Australian Government Department of Health and Aged Care

+61 2 6289 s47E(c), s47F | s47E(c), s47F

s47E(c), s47F @health.gov.au

GPO Box 9848, Canberra ACT 2601

From: News <news@health.gov.au>
Sent: Monday, April 22, 2024 7:20 PM
To: BIDInputs s47E(d) @health.gov.au>
Cc: News <news@health.gov.au>
Subject: FW: response to questions [SEC=OFFICIAL]

Hi team,

Additional clarification for the query below – can you please organise a response for this?

s47E(c), s47F

Media Unit, Communication Branch

People, Communication and Parliamentary Division | Corporate Operations Group
 Australian Government, Department of Health and Aged Care
 T: 02 6289 7400 | E: news@health.gov.au
 GPO Box 9848, Canberra ACT 2601, Australia

The Department of Health and Aged Care acknowledges First Nations peoples as the Traditional Owners of Country

From: s47E(c), s47F @Health.gov.au>
Sent: Monday, April 22, 2024 7:04 PM
To: News <news@health.gov.au>
Cc: s47E(c), s47F @Health.gov.au>; s47E(c), s47F @health.gov.au>; s47E(c), s47F @Health.gov.au>; s47E(c), s47F @Health.gov.au>
Subject: FW: response to questions [SEC=OFFICIAL]

Additional clarification below

From: s47F @abc.net.au>
Sent: Monday, April 22, 2024 6:57 PM
To: s47E(c), s47F @Health.gov.au>
Subject: Re: response to questions

s47E(c), s47F

s22

From: News <news@health.gov.au>
 Sent: Tuesday, 23 April 2024 5:04 PM
 To: s47E(c), s47F <[REDACTED]@Health.gov.au>; News <news@health.gov.au>
 Cc: s47E(c), s47F <[REDACTED]@Health.gov.au>; s47E(c), s47F <[REDACTED]@health.gov.au>; s47E(c), s47F <[REDACTED]@Health.gov.au>; s47E(c), s47F <[REDACTED]@Health.gov.au>
 Subject: Cleared response: response to questions [SEC=OFFICIAL]

Hi s47E(c), s47F

Please see response below.

Anaesthesia Clinical Committee of the MBS Reviews Taskforce

The anaesthesia recommendations made by the Anaesthesia Clinical Committee of the MBS Reviews Taskforce (Taskforce) were split into two phases to allow for adequate consultation, communication, and implementation time. Following implementation of an initial 33 recommendations on 1 November 2019 (representing those changes that had strong sector and policy support), implementation of the remaining 34 recommendations was further considered by the sector with feedback received and considered by the Anaesthesia Implementation Liaison Group (AILG). Membership of the AILG included representatives from the Australian and New Zealand College of Anaesthetists, Australian College of Rural and Remote Medicine, Australian Medical Association, Australian Society of Anaesthetists, Australasian Society of Medical Perfusionists, Consumer Health Forum, Private Health Insurance, Private Hospitals as well as an independent anaesthetist and an academic anaesthetist.

Advice received from the AILG and agreed by the department supported five of the remaining Taskforce recommendations progressing to implementation. These recommendations were brought forward for Government consideration in MYEFO 2021 and implemented on 1 March 2022.

Of the remaining 29 recommendations, 28 were identified by the AILG as either not supporting best clinical practice with likely unintended consequences for patient access or resulting in unnecessary administrative burden on providers. Recommendation 67 was determined to be redundant, with the need for an Anaesthetic Advisory Committee superseded by the establishment of the Medicare Benefits Schedule Review Advisory Committee

(MRAC). The Minister supported the AILG and Department advice and agreed that anaesthesia recommendations 1–7, 10, 11, 14, 19, 21, 26, 29, 35, 39, 43, 45–48, 50–52, 56, 58, 65–67 would not proceed to implementation.

Department of Health and Aged Care’s compliance framework

- The Department of Health and Aged Care (department) delivers a robust compliance program, informed by risk, to respond to potential fraudulent and non-compliant health program payments, including those made under Medicare.
- The department’s overarching provider compliance model ensures that resources and effort are prioritised based on the seriousness and scale of compliance concerns. This allows for a responsive and proportionate approach to compliance utilising the wide range of tools and powers available to the department.
- Based on its assessment of a compliance concern, the department may pursue a range of responses including education, review, audit and investigation into breaches of Australian laws.
- The Professional Services Review (PSR) is a key part of the Medicare compliance regime. Referrals to the PSR are made where appropriate and in accordance with Departments risk-based compliance framework.
- Where concerns are identified sitting outside the department’s, such as patient safety or professional conduct, the department may refer these concerns to other regulatory bodies as appropriate. For example, the Australian Health Practitioner Regulation Agency, has access to different regulatory controls and can act where individual practitioners are identified as practising in a way that places the public at risk of harm or departs significantly from expected standards of practice.
- On 1 July 2023 a taskforce was established to strengthen the integrity of the Medicare system in response to findings and recommendations of the Independent Review of Medicare Integrity and Compliance (Philip Review).
- The taskforce continues to consider and progress options for reform in response to the review, including assessing improved up-front controls, developing robust analytical models, more frequent and comprehensive monitoring of MBS claims, and consideration of legislative amendments that provide additional effective and efficient regulatory tools.
- While the department has well developed processes for targeted data analysis and intelligence collection to identify signals of fraud and non-compliance, its assessment is only as good as the information it has access to.
- Further, noting that the department is aware that there have been several specific cases referred to in various media, where someone suspects and/or has information indicating that health program payments have been made incorrectly or inappropriately, the department encourages that concerns about specific health providers are submitted as a tip-off to the department:
 - at [Reporting incorrect billing, claiming, or suspected fraud | Australian Government Department of Health and Aged Care](#)
 - by calling the department’s tip-off line on 1800 314 808, between 8:30am and 5:00pm Monday to Friday.

Spinal Surgery Medical Claims Payment Integrity Report

- Private Healthcare Australia has provided the Spinal Surgery Medical Claims Payment Integrity Report (Report) prepared by Drs Faux and Peck, as well as the deidentified data upon which the reports analysis was based, the department acknowledges the inferences made but cannot reliably draw the same conclusions regarding the likelihood of incorrect payment of Medicare benefits.
- Despite this, the department is reviewing the concerns raised in the Report, along with the deidentified data and Medicare claiming data in accordance with its compliance assessment procedures.
- Current privacy and secrecy provisions set out in legislation do not permit the department to share data with private health funds and further do not permit the sharing of information related to its review of specific circumstances of incorrect health program payments.

Apologies for the wait,

s47E(c),
s47F

Media Unit

Australian Government, Department of Health and Aged Care

T: 02 6289 7400 | s47E(c), s47F E: news@health.gov.au

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From: s47E(c), s47F @Health.gov.au>

Sent: Tuesday, April 23, 2024 3:18 PM

To: News <news@health.gov.au>

Cc: s47E(c), s47F @Health.gov.au>; s47E(c), s47F @health.gov.au>; s47E(c), s47F @Health.gov.au>; s47E(c), s47F @Health.gov.au>

Subject: RE: response to questions [SEC=OFFICIAL]

How are we going with this?

Sent from [Workspace ONE Boxer](#)

On 23 April 2024 at 11:15:09 AM AEST, s47E(c), s47F @Health.gov.au> wrote:

That's fine

Sent from [Workspace ONE Boxer](#)

On 23 April 2024 at 11:14:53 AM AEST, News <news@health.gov.au> wrote:

Hi s47E(c),
s47F

The line area is seeking an extension to 1pm today please.

Thanks,

s47E(c),
s47F

Media Unit

Australian Government, Department of Health and Aged Care

T: 02 6289 7400 | s47E(c), s47F E: news@health.gov.au

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From: s47E(c), s47F [redacted] <[\[redacted\]@Health.gov.au](mailto:[redacted]@Health.gov.au)>
Sent: Monday, April 22, 2024 3:58 PM
To: News <news@health.gov.au>
Cc: s47E(c), s47F [redacted] <[\[redacted\]@Health.gov.au](mailto:[redacted]@Health.gov.au)>; s47E(c), s47F [redacted] <[\[redacted\]@health.gov.au](mailto:[redacted]@health.gov.au)>; s47E(c), s47F [redacted] <[\[redacted\]@Health.gov.au](mailto:[redacted]@Health.gov.au)>; s47E(c), s47F [redacted] <[\[redacted\]@Health.gov.au](mailto:[redacted]@Health.gov.au)>
Subject: FW: response to questions [SEC=OFFICIAL]

Hi can we please get a response to this by midday tomorrow.

From: s47F [redacted] <[\[redacted\]@abc.net.au](mailto:[redacted]@abc.net.au)>
Sent: Monday, April 22, 2024 3:55 PM
To: s47E(c), s47F [redacted] <[\[redacted\]@Health.gov.au](mailto:[redacted]@Health.gov.au)>
Subject: response to questions

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s47E(d), s47G





s47F



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[SEC=OFFICIAL]