



Application to Review Compliance Decision

Purpose of this form

A decision by the Australian Government Department of Health, Disability and Ageing (**department**), to claim an amount as a debt is generally subject to internal review rights.

Use this form if you have been given a debt decision through the department's compliance audit process and would like to apply for review of that decision under any one of the following review provisions:

- section 129AAJ(1) or section 129ACB(1) ('Shared Debt Determinations') of the *Health Insurance Act 1973*;
- section 56D(1) of the *Dental Benefits Act 2008*; or
- section 99ABD(1) of the *National Health Act 1953*.

You can submit new and additional information with your application to support your claim that the amounts that have been paid were correct.

You must make an application for review within the statutory time limit referred to in the letter from the department notifying you of the decision and your review rights. If you do not seek internal review within the required statutory time limit, the department will not consider your application for review.

In general, the time limit for making an application for internal review of a decision is usually within 28 days after you receive notification of the decision but for some types of decisions, the time limit may be longer (for example, an application for review of a decision under section 129AAJ(1) of the *Health Insurance Act 1973*, can be made within 45 days of notification of the decision). It is important you refer to the time limit and your review rights stated in the notice of decision.

Please note applications for review under the *Health Insurance Act 1973* and the *Dental Benefits Act 2008* in relation to this form, are made to the Chief Executive Medicare or delegate. Applications for review under the *National Health Act 1953* under this form are made to the Secretary or delegate.

Review of Shared Debt Determinations

If your application for review is in relation to a Shared Debt Determination under the *Health Insurance Act 1973*, a copy of your application will be provided to each debtor (or their estate) to which the Determination relates, who will also be invited to make a submission in relation to the Shared Debt Determination, prior to the review commencing.

Process of reviewing a decision

You will be advised when your application for internal review is received and whether it meets the requirements for internal review of decision.

If your application progresses to internal review, a Review Officer, who was not involved in the original decision, will conduct the review as a delegate of the Chief Executive Medicare or the Secretary as relevant to the review application.

The Review Officer will conduct an examination of all the relevant facts and evidence available at the time the decision was made and will consider any new information.

The original decision will either be confirmed, varied or revoked ('reconsidered decision').

A written notice of the reconsidered decision will be given to you **within 28 days** after your application is received*.

*Please note there is a statutory requirement for a reconsidered decision to be made within 28 days of receiving the application for review, however, failure to comply with this requirement does not affect the validity of the review of decision.

For more information

For more information about the review of decision process, please email compliance.review@health.gov.au or go to the

department's website <https://www.health.gov.au/topics/medicare/compliance/our-approach>

Filling in this form

- Please use black or blue pen
- Print in BLOCK LETTERS
- Mark boxes like this with a ✓ or ✗

Returning your form

Check that you have answered all the questions you need to answer and that you have signed and dated this form.

Return this form and any relevant documentation to:

Email: compliance.review@health.gov.au

OR by Mail:

Review of Decision
Benefits Integrity Division - MDP 6 - South
Department of Health, Disability and Ageing
GPO Box 9848
Canberra ACT 2601, Australia

Privacy notice

12 Personal information is protected by law, including the Privacy Act 1988 and the Australian Privacy Principles, and is being collected by the Australian Government Department of Health Disability and Ageing for the primary purpose of undertaking health provider compliance of payments made under portfolio legislation, including the Health Insurance Act 1973, National Health Act 1953, and the Dental Benefits Act 2008

The department will not disclose any personal information it collects for this purpose to any overseas recipients.

If this information is not provided, we will be unable to consider any submission(s) you provide when making an assessment or decision about matters relating to you, or a health provider or an approved supplier that you represent. This includes payments made to a health provider or an approved supplier under the above legislation.

If you are providing the department with personal information about another individual, unless you are authorised to consent on their behalf, you will need to inform that individual of the contents of this notice and obtain their consent to the department collecting their personal information.

You can get more information about the way in which the Department of Health, Disability and Ageing will manage your personal information, including our privacy policy, at <https://www.health.gov.au/using-our-websites/website-privacy-policy/privacy-notice-for-health-provider-medicare-compliance>.

Declaration

13 I declare that:

- the information I have provided in this form is complete and correct.

I understand that:

- this form will be used by the Department of Health, Disability and Ageing to process my request for review.
- giving false or misleading information is a serious offence.

Signature

Date