

# Bulletin



Bulletin Number	Date	Direct inquiries to
4413	September 7, 2004	Ministry of Health and Long-Term Care Processing Office
Distribution		(address below)
Physicians, Hospitals, Clinics and Laboratories		

## SUBJECT: TEMPORARY SUSPENSION OF THE MEDICAL REVIEW COMMITTEE AUDIT PROCESS

On September 1, 2004, amendments to the *Health Insurance Act* and the *Ministry of Health Appeal and Review Board Act, 1998* came into effect.

The *Transitional Physician Payment Review Act, 2004* is intended to temporarily suspend audits by the Medical Review Committee (MRC) while awaiting Justice Peter Cory's recommendations for a best practices audit system. That review is expected to be completed by April 2005.

The new legislation also creates a panel of the Health Services Appeal and Review Board (HSARB) called the Transitional Physician Audit Panel (TPAP). This panel is intended to act as the temporary appeal body for any audit decisions made by the General Manager of OHIP.

During the temporary suspension, the Ministry of Health and Long-Term Care will continue to identify billing concerns which will be addressed through a new process (see process diagram).

### Ministry of Health and Long-Term Care audit functions include:

#### Claims Records Review ('Direct Recovery')

When the General Manager can determine that claims to the Ontario Health Insurance Plan ("OHIP") are incorrect based on a review of billing records, the General Manager may initiate a recovery of funds pursuant to the *Health Insurance Act*. If a physician disputes the General Manager's decision, he or she may appeal to the TPAP within 15 days of notice of the decision.

#### Medical Records Review

When a review of the medical records is required, OHIP will notify the physician of the General Manager's concerns. The physician then has two options: (1) he or she may choose to wait to be audited when the new audit process is available following Justice Cory's recommendations for change, if any, or, (2) he or she may choose to undergo a ministry audit. If the physician then disputes the ministry's decision, he or she may appeal the decision to the TPAP within 15 days of notice of the decision.

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<b>Mississauga</b> 201 City Centre Dr. P.O. Box 7020, Stn. A L5A3M1	<b>Newmarket</b> 465 Davis Dr. 3rd floor L3Y 8T2	<b>North Bay</b> 101-447 McKeown St. P1B 9S9	<b>North York</b> 4400 Dufferin St. Unit 4A M3H 6A6	<b>Oakville</b> Oakville Town Centre II 220 North Service Rd. W. Unit P5030. L6M 2Y3	<b>Oshawa</b> Exec. Tower, Oshawa Centre. 419 King St. W. P.O. Box 635 L1H 8L4	<b>Ottawa</b> Fuller Building 75 Albert Street K1P 5Y9
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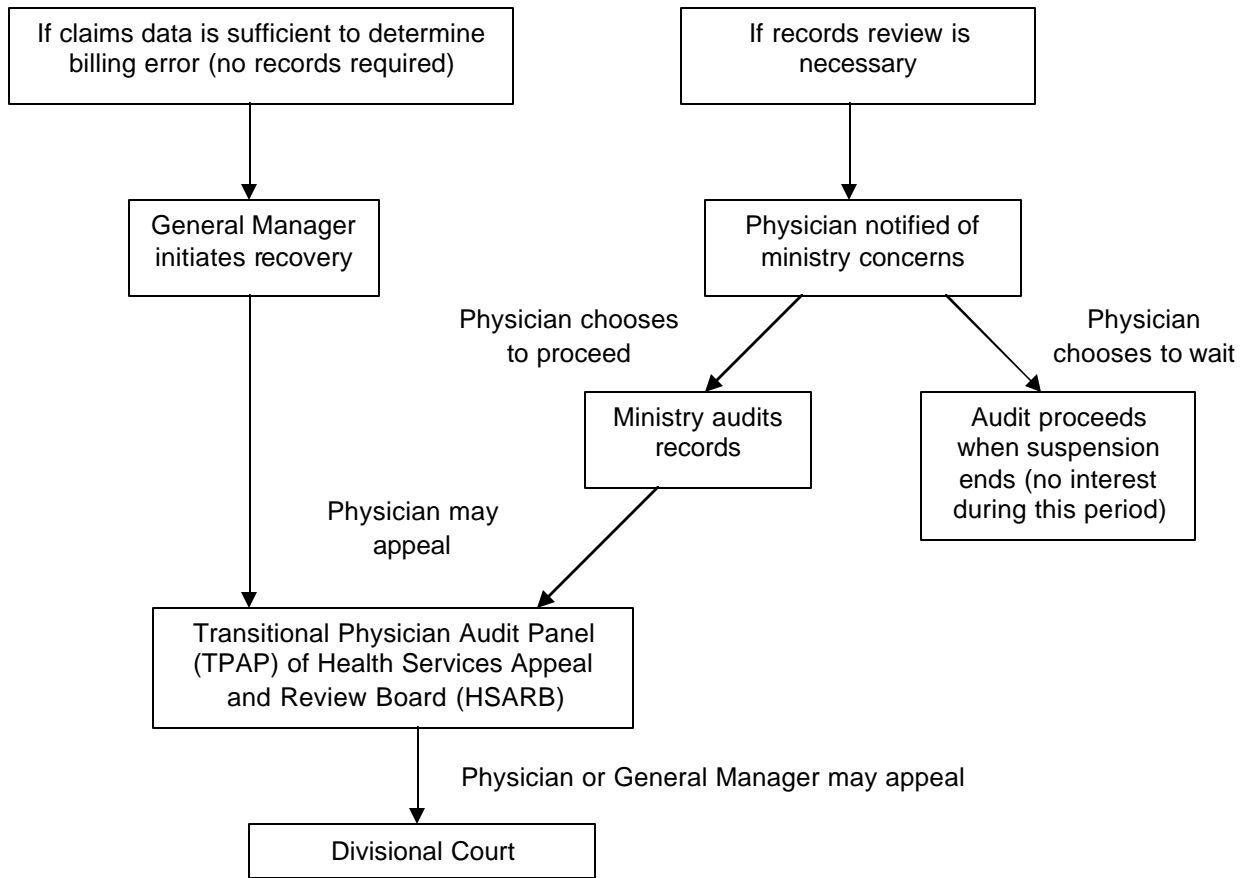
### Existing Cases at the MRC

Physicians whose accounts have been referred to the MRC prior to September 1, 2004 are, by default, considered to have their audit suspended. However, within 30 days of September 1, 2004, physicians may choose to have the ministry conduct an audit. If a physician then disputes the ministry decision, he or she may appeal the decision to the TPAP within 15 days of notice of the decision.

Physician requested reviews or reconsiderations at the MRC prior to September 1, 2004 are also, by default, suspended. The physician may, however, request a review or reconsideration by the TPAP by October 1, 2004.

If an MRC audit has been suspended pending the implementation of a best practices audit system, no interest will be payable during the suspension period.

## OHIP Accountability Processes During Suspension of MRC Audits



**Note:** Physicians in the MRC medical records audit process at the time the legislative changes came into effect will have no further audit activity by the MRC during the suspension. They may, however, elect to be audited by the ministry audit process as shown in this diagram.