

The response from Medicare

The ABC asked Medicare:

We understand a many specialists refuse to accept ongoing referrals. They send patients with chronic conditions back to the GP for a new standard referral every 12 months, which it is alleged allows them to bill the patient again under MBS 104 each time they come back with a new referral. Is this accurate? Is this practice considered legal? How would it be classified under the annual Professional Services Review?

The Department of Human Services spokeswoman said:

Initial attendance item 104 is payable once per single course of treatment. A single course of treatment involves an initial attendance by a specialist and the continuing management (of that condition) until the patient is referred back to the referring practitioner.

The issuing of a new referral does not necessarily mean a new course of treatment.

However, there are situations where a new referral could mean a new course of treatment would apply if:

- o The presentation of an unrelated illness would initiate a new course of treatment where a new referral would be required.
- o Where the referring practitioner:-
 - (a) deems it necessary for the patient's condition to be reviewed; and
 - (b) the patient is seen by the specialist outside the previous referral; and
 - (c) the patient was last seen by the specialist more than 9 months earlier, then the attendance following the new referral initiates a new course of treatment for which a Medicare benefit would be payable at the initial consultation rate.

A specialist can only bill another initial consultation (for an existing patient) where the criteria above has been met.

As part of the department's continued compliance activity, where the department identifies health professionals who have claimed more than one initial attendance item 104 and where they are not in possession of a second referral for the second or subsequent initial attendance item claimed, the department would seek to recover the benefit paid for the second and any subsequent initial attendance item.