

10 October 2019

Data Legislation Section

Provider Benefits Integrity Division | Health Financing Group

Compliance Analytics Branch

Australian Government Department of Health

Email to HC.Consultation@health.gov.au

To whom it may concern

Re: Consultation on the draft Health Legislation Amendment (Data Matching) Bill 2019

Thank you for the opportunity to comment on the above. The ASA is the peak body representing Sleep Physicians setting clinical standards for the profession. We have consulted with our members about the proposed legislation and would make the following comments:

We understand the importance of detection of fraud and incorrect Medicare claiming and that the data matching and sharing may assist in this. Some sleep physicians have undergone audits, targeted letter campaigns and professional review within the last few years.

Within the last 12 months billing for sleep studies has undergone major change due to new item numbers for sleep studies and every sleep physician has been impacted. Therefore, we feel strongly that any review of a sleep physician should be conducted by sleep physicians with sufficient expertise in both Public and Private sleep medicine who are currently practising primarily in Sleep Medicine (as opposed to those who practice mainly in Respiratory Medicine). This is a very important distinction.

We would specifically ask for more clarification on the reference to TGA and MBS data linkage and the use of devices. Does this refer to devices such as continuous positive airways pressure machines, which are routinely prescribed by sleep physicians and sleep laboratories to treat sleep apnoea? Does this refer to sleep study equipment used to perform sleep studies? Clarification is needed.

Similarly, we are unsure about the linkage to Immigration data. Many sleep physicians based in Australia report sleep studies whilst out of the country (on holiday or conference leave) and will log into the sleep laboratory sleep study server electronically in order to maintain reporting timelines, especially for urgent cases. Billing for these sleep studies in some cases may occur whilst the sleep physician is overseas. Clarification of this practice is needed.

We look forward to your response. Please do not hesitate to contact us for further information.

Yours sincerely



Sutapa Mukherjee



Peter Eastwood



Alan Young