



## CONSULTATION ON THE HEALTH LEGISLATION AMENDMENT (DATA-MATCHING) BILL 2019

### The Pharmacy Guild of Australia Response

The Pharmacy Guild of Australia (Guild) does not oppose the proposed Health Legislation Amendment (Data-matching) Bill 2019 (the Bill) to amend the *National Health Act 1953* and *Health Insurance Act 1973* to enable a scheme of data matching for permitted Medicare compliance purposes. The Guild supports the Department of Health (the Department) being able to detect fraudulent claiming to ensure that health benefits are correctly contributing to health services.

Our members often raise concerns over compliance matters, such as unapproved pharmacies claiming pharmaceutical benefits and pharmacies failing to raise the co-payment with their patient. If there is any way to use the data-matching in the proposed legislation to enhance the Department's detection capabilities of these particular practices then the Guild believes it should be permitted. While the proposed Bill does not necessarily address these particular concerns, the Guild acknowledges that improving the Department's data-matching abilities is a positive step toward reducing fraudulent activities.

The Guild understands that the intention of the proposed Bill is specifically to reduce intentionally fraudulent activity but recognises the potential to also identify instances where health benefits have unintentionally been claimed incorrectly. Typically in these cases the supply of the health benefit to the patient is appropriate, but due to a technical anomaly in the prescribing or dispensing process, the claim is not accepted. For a Pharmaceutical Benefits Scheme (PBS) claim, this can result in the pharmacy being financially penalised for a technical anomaly, and given the increasing incidence of high-cost medicines being listed on the PBS, the financial risk to pharmacists can be significant. The Guild is committed to working with the Department as part of the Pharmacy Profession Compliance Roundtable to raise awareness of pharmacists of PBS requirements, but we would like to see systems in place that would enable the payment of the pharmaceutical benefit which for all intents and purposes is justified and reasonable.

The Guild appreciates the opportunity to provide feedback on the proposed Bill and looks forward to the next iteration.

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