



25 March 2022

Australian Sleep Association
Attn: A/Prof Sutapa Mukherjee and Dr David Cunnington
Level 1, 5 George St
NORTH STRATHFIELD NSW 2137

Email: ceo@sleep.org.au

Dear A/Prof Mukherjee and Dr Cunnington,

Thank you for your correspondence of 11 March 2022.

The Department of Health (the Department) takes into account feedback from stakeholders in the design and development of compliance activities as well as the timing of when they are operationalised. Your feedback, along with that received from other stakeholders, was used to inform which providers will ultimately receive a letter from the Department.

While being very aware of the COVID-19 situation and the ongoing impacts on our health professionals including sleep physicians, the Department has a regulatory obligation to undertake compliance activities to ensure payments are correctly made under Australia's health payments system.

Supporting our education activities, we have a structured compliance program based on identified provider behaviour and claiming patterns. Where we consider that inadvertent non-compliance may be occurring, we use targeted letters as an early intervention approach. Targeted letters support providers to self-review their claiming, identify potential errors and voluntarily repay any incorrect claimed benefits without penalty.

In line with your feedback, the Department recognises that individual practitioners will differ in their claiming of Medicare Benefits Schedule (MBS) items based on the type of practice or patient cohort. Our letters are not a determination of incorrect claiming. Providers who receive a letter are encouraged to review their services to ensure their claiming meets MBS requirements, including clinical relevance. Where a provider considers their claiming is compliant, they are encouraged to provide a response to Voluntary.Compliance.Team@health.gov.au. Where a provider identifies incorrect claims, they should submit a Voluntary Acknowledgment of Incorrect Payments form to the Department.

To assist in the review of services, the letter will include links to various resources where providers can find information to support them in claiming correctly.

Yours sincerely,

Hongxia Jin
Assistant Secretary
Compliance Audit and Education Branch
Provider Benefits Integrity
Benefits Integrity and Digital Health Division