

Decision of the Medical Board of Australia

Performance and Professional Standards Panel

Jurisdiction: Victoria

Date of hearing: 26 April 2012

Date of decision: 17 May 2012

Classification of Notification:

Billing – inappropriate fees or billing practices

Offence – Medicare offence

Allegations

The medical practitioner was asked to appear as an expert witness and rendered an invoice for his services. He advised AHPRA that he would need to bill for locum services for the day and nominated a standard fee. AHPRA required an invoice. The practitioner produced an invoice for the standard locum fee, but this was rejected by AHPRA which requested an invoice from the actual service provider. The practitioner's accountant, whom he shared with another practitioner, was asked to complete an invoice in the other practitioner's name which was then forwarded to AHPRA.

The practitioner faced allegations that he had attempted to defraud the Medical Board of Australia by providing an invoice for costs that had not or could not be substantiated and that the practitioner misrepresented another medical practitioner in providing an invoice to AHPRA not in his name.

Finding

The Panel found that providing an invoice supposedly from the other practitioner was sloppy and potentially misleading, but there had not been any deliberate attempt to defraud AHPRA or to misrepresent the other practitioner.

Determination

On the basis of those findings, the Panel decided that neither of the allegations was made out and that the practitioner had no case to answer.