

11 January 2018

Marie Dalins
Director
Adjudication
Australian Competition and Consumer Commission

Email: adjudication@accc.gov.au

Dear Ms Dalins

A91599 – re-authorisation – Australian Medical Association – submission

The Royal Australian College of General Practitioners (RACGP) thanks the Australian Competition and Consumer Commission (ACCC) for the opportunity to comment on Draft Determination A91589. The RACGP is Australia's largest general practice organisation, representing over 35,000 members working in or toward a career in general practice.

Draft Determination A91589 responds to an application for re-authorisation lodged by the Australian Medical Association (AMA) for intra-practice price setting by general practitioners (GPs) and collective bargaining by single practices. The RACGP supports the ACCC's proposal to allow all GPs that practise in defined business structures to set intra-practice fees and to collectively bargain as a single practice in relation to the provision of Visiting Medical Officer (VMO) services and with Primary Health Networks (PHNs) ('the conduct'). The application for a 10-year authorisation is also supported.

Benefits of continuing to allow the conduct

The RACGP agrees with the ACCC's assessment that the conduct is likely to result in public benefit and increase the attractiveness of and benefits of shared practice by:

- allowing administrative efficiencies
- helping general practices in remote and regional areas to attract and retain locums and GPs; and
- providing a seamless integrated service between GPs in each practice.

In addition to the benefits the ACCC has already acknowledged, continuing to allow practitioners who work in associateships, partnerships or other business structures to set intra-practice fees will:

- result in less fee uncertainty or confusion for patients when seeing GPs within the same practice
- support a culture of safety and quality in general practice through supporting general practice team-based models of care (which are crucial to quality general practice patient care)
- reduce health system and funding system barriers that have historically restricted team formation and function.



RACGP

Royal Australian College of General Practitioners

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The RACGP supports the ACCC's consideration that the conduct is likely to result in minimal, if any, public detriment in local markets for the provision of primary medical services to the public, VMO services to public hospitals and general practice services to Primary Health Networks.

Benefits available to all GPs

All GPs should be permitted to agree on fees within their practice irrespective of their membership of professional organisations or associations. It is important that the ACCC provide the same breadth for the conduct as that set out in the current authorisation. Permitting only a specific group of GPs to undertake the conduct would create an uneven playing field for the profession and would reduce the opportunity for GPs to collaborate.

The current authorisation has had no detrimental impact

No RACGP members or stakeholders have raised any concern with the conduct since it was authorised by the ACCC. The RACGP also notes that the AMA, Australian College of Rural and Remote Medicine (ACRRM) and the Rural Doctors Association of Australia (RDAA) have noted an absence of any evidence indicating the current authorisation has had a detrimental impact on competition or patient access to services.

I trust this information is of assistance to the ACCC. Please contact me or Madeleine Senior, Program Manager, Advocacy and Funding on madeleine.senior@racgp.org.au or on (03) 8699 0524 if you require additional information.

Yours sincerely

Dr Bastian Seidel
President