1. I have received a referral from the GP to provide podiatry services item number 10962 to a resident of a residential aged care facility. Do I have any responsibility to ensure that the resident is eligible (lowcare). My interpretation of the document

**CHRONIC DISEASE MANAGEMENT – INDIVIDUAL ALLIED HEALTH SERVICES RACF**

[**http://www.health.gov.au/internet/main/publishing.nsf/Content/E6A812DC61EBD3D2CA257BF0001CABF6/$File/Chronic%20Disease%20Management%20-%206%20June%202017.pdf**](http://www.health.gov.au/internet/main/publishing.nsf/Content/E6A812DC61EBD3D2CA257BF0001CABF6/%24File/Chronic%20Disease%20Management%20-%206%20June%202017.pdf)

is that the RACF and the GP are responsible for checking this

It is the responsibility of the treating practitioner to ensure that any service billed to Medicare meets the item descriptor in the MBS and any eligibility requirements in full.

Under the *Aged Care Act 1997,* approved providers of residential aged care services are required to provide therapy services, such as recreational, speech therapy, podiatry, occupational therapy, and physiotherapy services, to certain residents (**as defined by the resident's funding classification**) at no additional cost.

If an allied health provider is uncertain about whether a patient requires a service that should be provided by the RACF under the *Aged Care Act 1997*, rather than a service under Medicare, the **allied health provider should obtain clarification from the RACF**.

Your clinical notes should include information the RACF advised you about the referred patient in question. For example, ‘*nursing home advised on 20 March 2018 Mrs Smith’s current funding classification allows her to receive allied health services under Medicare’.*

2. If I were, in good faith, to treat this resident and later discover they were highcare at the time and hence ineligible, who bears the responsibility?

Under the [*Health Insurance Act 1973*](https://www.legislation.gov.au/latest/C2016C01004) you're legally responsible for services billed to Medicare under your Medicare provider number or in your name.

3. Do I have to repay the money I received from Medicare for this treatment?

You are responsible for incorrect claims regardless of who does the billing or receives the benefit. You will be responsible for the repayment of the full amount of the incorrect Medicare benefit that was paid.

You may seek independent legal advice.

I trust this information is of assistance.

Yours sincerely

Lynda Baird

Service Officer, Enquiry Resolution

Health Support & Business Services Division

Provider Services Branch

Australian Government Department of Human Services

By email 16 March 2018