

PRESS RELEASE



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DELAY FOR DENTISTS COMES AT A PRICE

Dentists in Scotland who delay submitting claims are losing money due to a crackdown on the three-month payment rule by the Scottish Dental Practice Board (SDPB).

The UK-wide dental defence organisation MDDUS continues to receive a significant number of enquiries from NHS practitioners regarding the SDPB's so-called 'three-month rule'. This regulation provides that, where submission of a claim is delayed by more than three months, the form will be returned to the practitioner without payment.

When this time-bar was first introduced in November 2009, concerns were raised by many practitioners who questioned the legality of withholding fees which in every other respect complied with the NHS Terms of Service.

At this time, MDDUS advised members that this provision was contained within the Statement of Dental Remuneration and was therefore enforceable.

The same provision has appeared in subsequent SDR's but, according to MDDUS dental adviser Doug Hamilton, the SDPB has traditionally taken a lenient approach to enforcing the rule.

However, Hamilton says this no longer appears to be the case. He says: "These changes in the enforcement of the three-month time-bar on claims, together with the recently enhanced scrutiny of clinical audit activity may indicate that the traditionally lenient approach to a number of statutory obligations is now coming to an end.

"Practitioners must acknowledge that the strict application of the three-month rule is not only lawful, but is, in all likelihood, here to stay."

Many practices will already be completely familiar with this rule and will have implemented changes to ensure compliance. However, MDDUS continues to receive many enquiries from practices who struggle with the increased administrative burden of adhering to the rule. GP17 forms can be misfiled, kept open in the expectation that a patient will re-appoint or set aside pending confirmation of a patient's exemption status.

The harsh reality is that, once a period of three months has elapsed, these forms will be rejected. The cumulative fees which are lost, particularly in respect of claims for exempt patients, can have a considerable impact upon practice finances.

MDDUS therefore advises that all members who work within the NHS in Scotland should audit and adapt their systems of work in order to minimise the likelihood of claims being time-barred.

“Once treatment is complete or the patient fails to attend for the final time the clock starts ticking and every effort should be made to post or transmit the closed form as soon as possible,” adds Hamilton.

Clerical errors will occur from time to time, even in the most efficiently managed practices. However, Hamilton warns dentists not to fraudulently alter records to circumvent the rule: “Dentists must avoid temptation to amend certain dates so that the claims are no longer caught by this rule. The payment authorities have indicated their willingness to request and scrutinise clinical records and appointment books with the intention of censuring any practitioners whose claims have been re-dated.”

The SDPB has instructed Practitioner Services to pass on to Counter Fraud Services any cases where they suspect alterations.

Hamilton concludes: “Even where rejection of a late claim for treatment which has been carried out in good faith seems completely unjust, MDDUS advises against alteration of forms in order to evade the three-month rule.”

Any member of MDDUS who has concerns about this or any other regulation should not hesitate to contact one of our advisers for further information.

Ends

For further information contact Richard Hendry on 0845 270 2034 or 07976 272266, or email rihendry@mddus.com.

Note to editors

MDDUS (The Medical and Dental Defence Union of Scotland) is a medical and dental defence organisation providing access to professional indemnity and expert medico- and dento-legal advice for doctors, dentists and other healthcare professionals throughout the UK.

For further information on MDDUS go to www.mddus.com.