



Physician Payment Review Board

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Commission de révision des paiements effectués aux médecins

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The Honourable Deb Matthews
Minister of Health and Long-Term Care
Minister's Office
Hepburn Block, 10th Floor
80 Grosvenor Street
Toronto, ON
M7A 2C4

June 30, 2013

Dear Minister:

RE: Physician Payment Review Board

On behalf of the Physician Payment Review Board (PPRB), it is my pleasure to submit the Annual Report for the fiscal year 2012/2013.

The PPRB is committed to the initiatives outlined in the report and to ensuring excellence in the service it provides to the Ontario public.

Yours sincerely,

A handwritten signature in blue ink, appearing to be "Vivek Rao".

Vivek Rao, MD, PhD, F.R.C.S.(C), F.A.H.A.
Chair
Physician Payment Review Board

cc: Lori Coleman, Chief Operating Officer, Health Boards Secretariat
Registrar, Physician Payment Review Board

TABLE OF CONTENTS

Letter from the Registrar	3
Message from the Chair	4
Mandate and Mission Statement	5
Achievements	6
Performance	7
Operational Performance	7
Financial Performance	7
Membership	8
Health Boards Secretariat Staff	9



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Dr. Vivek Rao
Chair, Physician Payment Review Board
151 Bloor Street West, 9th Floor
Toronto, ON M5S 1S4

May 31, 2013

Dear Dr. Rao:

I am pleased to report to you on behalf of the Health Boards Secretariat (the "Secretariat"). The Secretariat continues to provide comprehensive administrative, corporate, fiscal and case management support to the Physician Payment Review Board ("PPRB"). In addition, the Secretariat continues to provide similar support functions to other adjudicative tribunals as well as payment processing functions for other health related services.

There have been some very notable achievements of the PPRB in the past year. The PPRB convened its first oral motion and its first oral hearing furthering the experience of the Board in case management of appeals. Communications and distribution of materials for these proceedings were exercised entirely electronically supporting the PPRB's commitment to green and efficient operations. Also of significance this year was the establishment of a public website designed to provide the public with key information about the PPRB, its mandate, its procedures and its governance structure.

Funding for the PPRB continues to be directed through the Health Services Branch of the Ministry of Health and Long-Term Care to the Secretariat. There are some limitations in detailing expenditures as they relate to the specific agencies supported by the Secretariat. You will note that expenditures such as salaries and facility costs are not included in the financial data on page 7 as many resources are shared with other adjudicative tribunals and it would be arbitrary to determine what portion of cost should be attributed specifically to any one agency. These costs are, however, incorporated in the fiscal planning cycle by the Secretariat and are reported to the Ministry. The Secretariat remains committed to working collaboratively with the PPRB and its members in exercising strong controllership practices to minimize expenditure while enabling access to justice.

I trust that this information is of assistance to you, and I look forward to continuing to lead services providing support to the Physician Payment Review Board.

Yours truly,

Lori Coleman
Chief Operating Officer, Health Boards Secretariat
Registrar, Physician Payment Review Board

MESSAGE FROM THE CHAIR

As Chair of the Physician Payment Review Board (“PPRB”) it is my pleasure to report on the PPRB’s activity and achievements for the period of 2012 / 2013. The commitment of the membership of the Board combined with the ongoing contributions of the staff of the Health Boards Secretariat (the “Secretariat”) have enabled this relatively new board to better establish its role and profile in the health care and administrative justice communities.

The PPRB is mandated to conduct hearings regarding payment disputes between physicians and the General Manager of the Ontario Health Insurance Plan (“OHIP”). The role of the PPRB is not to advocate for changes to the physician billing model in Ontario, it is to adjudicate the appeals that are brought to it in accordance with the *Health Insurance Act*.

While the PPRB has received appeals from physicians since the time of its inception in 2010, it was not until this year that an appeal did not resolve between the parties either by way of withdrawal or settlement prior to a hearing. We consider this to be indicative of a robust and comprehensive payment system that is aligned in accordance with the recommendations of the Honourable Peter Cory with compliance requirements designed to be educational rather than adversarial.

The PPRB is playing an important role in this payment system. This year, the Board convened its first complete hearing, allowing it to further develop its operational processes. In line with the PPRB’s commitment to adjudicate matters fairly, openly and transparently, the decision and reasons in this matter, and in all matters in the future, will be made available to the public. The PPRB also furthered its outreach to the health care and administrative justice sectors through the establishment of a public website. The website contains information regarding the role and mandate of the PPRB and it includes all documents required for compliance under the *Adjudicative Tribunals Accountability, Governance and Appointments Act*.

I am pleased to continue to work with colleagues and staff who share the common goal of providing high quality service to the public of Ontario, and I look forward to the year ahead in which the PPRB will continue to establish itself as an important part of an accountable and transparent physician audit framework in Ontario.



Vivek Rao, MD, PhD, F.R.C.S.(C), F.A.H.A.
Chair
Physician Payment Review Board

MANDATE OF THE PHYSICIAN PAYMENT REVIEW BOARD

The Physician Payment Review Board (PPRB) is an independent adjudicative agency established in Section 5.1 of the *Health Insurance Act* (HIA). The PPRB exercises its powers and responsibilities in accordance with the HIA and Schedule 1 to the HIA, as well as under the *Statutory Powers and Procedures Act*, R.S.O. 1990 and delegated authority under the *Public Service of Ontario Act*, R.S.O. 2006.

The PPRB conducts hearings regarding payment disputes between physicians and the General Manager of OHIP (the G.M.). Where a resolution to a billing dispute between a physician and the G.M. cannot be resolved through the provision of education and other assistance, the PPRB provides an appeal process that is independent from the Ministry of Health and Long-Term Care and the Minister of Health and Long-Term Care.

MISSION STATEMENT

The Physician Payment Review Board is committed to providing the highest quality service to the public, and to being valued partners in the delivery of health care in Ontario.

ACHIEVEMENTS OF THE PHYSICIAN PAYMENT REVIEW BOARD

In 2012 / 2013 the Physician Payment Review Board (“PPRB”) has continued to deliver high quality service to the public of Ontario. In line with the PPRB’s mandate and its authority under the *Health Insurance Act*, the following achievements have been made:

Case Management

- In December, 2012 the PPRB heard an oral motion from the parties to an appeal. The motion brought in to question whether or not it was within the PPRB’s jurisdiction to consider the appeal. The Board ruled in January that the motion was dismissed, in effect deciding that the Board did have jurisdiction to consider the appeal.
- In February, 2013 the PPRB convened its first hearing. The hearing was convened in Toronto by a panel of four adjudicators; three physicians and one public member, and was completed in two days. The final decision and reasons of the PPRB in any appeal must be issued within 30 business days from the date the hearing concludes.
- The majority of appeals received by the PPRB continue to be resolved without proceeding to hearing, indicative of a robust and conciliatory case conference methodology.
- Of the five matters resolved in this reporting year, the average length of time that these appeals were active with the Board was less than four months.

Member Development

- Completion of the reappointments process for members whose Order-in-Council appointments expired on April 27, 2012 and recruitment of three new members.
- The PPRB developed and delivered targeted training to members designed to provide them with a foundation of knowledge regarding issues such as procedural fairness and apprehension of bias in advance of the first oral proceedings of the board.
- On September 13, 2012 the PPRB convened its annual board meeting at which members received an administrative update regarding relevant board operations as well as continuing education content.

Stakeholder Outreach

- In July, 2012 the PPRB established and made available to the public a website, www.pprb.on.ca, which includes information regarding its mandate and processes, links to relevant legislation, and access to board documents such as the Interim Rules of Practice.
- In December, 2012, Dr. Vivek Rao, Chair published an article in the Ontario Medical Review Journal designed to provide an overview of the PPRB’s jurisdiction and processes and to increase overall physician awareness of the PPRB and how to access its’ services.

Governance

- The *Adjudicative Tribunal Accountability, Governance and Appointments Act*, 2009 (ATAGAA) aims to increase efficiencies and transparency in the tribunal’s operations while maintaining independence in their decision-making. In compliance with the stipulations of the *Act*, the PPRB has developed all required governance and accountability documents which were approved by the Minister on October 2, 2012.

PERFORMANCE OF THE PHYSICIAN PAYMENT REVIEW BOARD

Operational Performance

The PPRB is an independent adjudicative tribunal that conducts hearings and renders decisions on payment disputes that arise between Ontario physicians and the OHIP General Manager. The following information reflects the appeal activity of the PPRB since the Board was established in 2010.

Caseload Summary	April 1, 2010 – March 31, 2011	April 1, 2011 – March 31, 2012	April 1, 2012 – March 31, 2013
Active Caseload at beginning of period	0	4	2
Intake of New Appeals	9	5	9
Total Caseload	9	9	11
Total Matters Resolved	5	7	5
Active Caseload at End of Period	4	2	6
Case Conferences Conducted	1	18	22
Motions Conducted	0	0	1
Hearings Conducted	0	0	1

While the Board has been case managing appeals since its inception in 2010, until this year all matters had resolved prior to a hearing being convened. This year, the Board convened its first complete hearing, which lasted for two days in February, 2013. As of March 31, 2013 the final decision and reasons in this matter were pending. Once the decision and reasons in this matter are finalized and provided to the parties, it will be available to the public.

Financial Performance

Description	April 1, 2010 – March 31, 2011	April 1, 2011 – March 31, 2012	April 1, 2012 – March 31, 2013
Per Diem Honouraria			
Attendance at Proceedings	0	0	5,459
Preparation for Proceedings	0	0	2,383
Decision Writing	0	0	982
Education, Administration and Travel	23,280	2,888	11,013
Other Expenses			
Court Reporting & Transcripts	0	0	731
Legal Services	37,557	4,320	26,334
Communications	84	1,868	6,566
Travel	2,295	0	1,679
TOTAL	\$63,818	\$9,076	\$55,147

PHYSICIAN PAYMENT REVIEW BOARD MEMBERSHIP AS OF MARCH 31, 2013

Physician Payment Review Board - Physician Members as of March 31, 2013				
Last Name	City	Occupation	Start Date	Expiry Date
Beaton, Melanie	London	Internal Med., Gastroenterology	28-Apr-10	27-Apr-15*
Bested, Alison	Toronto	Clinical Haematology	28-Apr-10	27-Apr-15*
Blunt, Marie Elizabeth	Sarnia	Obstetrics & Gynecology	28-Apr-10	27-Apr-15*
Bridgeo, David	Windsor	Family Physician	28-Apr-10	27-Apr-15*
Davidson, John	Kingston	Surgery & Oncology	28-Apr-10	27-Apr-15*
Goldberg, Ronn	Thornhill	Diagnostic Radiology	28-Apr-10	27-Apr-15*
Gupta, Samir	Toronto	Dermatology	28-Apr-10	27-Apr-15*
Hector, Ian	Thornbury	Psychiatry	28-Apr-10	27-Apr-15*
Kao, Shawn	Etobicoke	Pediatric Medicine	28-Apr-10	27-Apr-15*
Lane, Robert	Newcastle	Staff Surgeon	18-Jul-12	17-Jul-14
Lau, Helena	Oakville	Gastroenterology	28-Apr-10	27-Apr-15*
Male, Ross	Paris	Family Physician	28-Apr-10	27-Apr-15*
Mitchell, Marianna	Whitby	Pediatric Medicine	28-Apr-10	27-Apr-15*
Mohammad, Naveed	Mississauga	Emergency Medicine, Trauma	28-Apr-10	27-Apr-15*
Nicolle, Michael	London	Neurom. & Electrode. Medicine	28-Apr-10	27-Apr-15*
Nijhawan, Navdeep	Richmond Hill	Ophthalmology	09-Jan-13	08-Jan-14
O'Brien, Simon	Kingston	Psychiatry	28-Apr-10	27-Apr-15*
Rao, Vivek	Toronto	Cardiothoracic Surgery	28-Apr-10	27-Apr-15*
Smith, Kevin	Toronto	Anesthesiology	29-Aug-12	28-Aug-14
Waddell, James	Toronto	Orthopaedic Surgery	28-Apr-10	27-Apr-15*
Physician Payment Review Board - Public Members as of March 31, 2013				
Balitsky, Tammy	Toronto	Social Work	28-Apr-10	27-Apr-15*
Boltman, Marilyn	Toronto	Human Service Counseling	28-Apr-10	27-Apr-15*
Egerton, Catherine	London	Financial Account Manager	28-Apr-10	27-Apr-15*
Ferguson, Nancy	Toronto	Law	09-Jan-13	08-Jan-14
Goldstein, Sandra	Ottawa	Alternative Dispute Resolution	28-Apr-10	27-Apr-15*
Gumienny, Jacqueline	Kingston	Law	28-Apr-10	27-Apr-15*

*Where expiry dates are marked with *, member has been reappointed in accordance with ATAGAA waiver*

HEALTH BOARDS SECRETARIAT STAFF AS OF MARCH 31, 2013

Staff Member	Position
Lori Coleman	Registrar
Sara van der Vliet	Deputy Registrar
Chris Popovich	Executive Assistant / Researcher
Natalya Demyanenko	Case Management Coordinator
Maureen Baker	Case Officer
Sofiea Choudhary	Case Officer
Andrew Clifford	Case Officer
Anna Dunscombe	Case Officer
Sandra Evora	Case Officer (Bilingual)
Kate Franklin	Case Officer
Glenn Sequeira	Case Officer
Julie D'Mello	Administrative Coordinator
Alpha Aberra	Administrative Assistant (Bilingual)
Desiree Ashton-Kirby	Administrative Assistant
Margaret Bolinas	Administrative Assistant
Shanti Persaud	Administrative Assistant
Mathanan Kailas	Senior Technology / Systems Administrator
Aravinth Ramalingam	Systems Support Analyst
Ashif Kassam	Systems Officer