

Physician Payment Review Board
Commission de révision des
paiements effectués aux médecins



Annual Report

2019-20

**Physician Payment
Review Board**

151 Bloor Street West, 9th floor
Toronto ON M5S 1S4

Telephone 416-327-8512
Toll free 1-866-282-2179
TTY 416-326-7TTY (889)
TTY Toll free 1-877-301-0TTY (889)
Facsimile 416-327-8524

**Commission de révision des
paiements effectués aux médecins**

151, rue Bloor ouest, 9^e étage
Toronto ON M5S 1S4

Téléphone 416-327-8512
Sans frais 1-866-282-2179
ATS 416-326-7889
ATS sans frais 1-877-301-0889
Télécopieur 416-327-8524



Ontario

The Honourable Christine Elliott
Deputy Premier and Minister of Health
Office of the Deputy Premier and Minister of Health
777 Bay Street, 5th Floor
Toronto ON M7A 1N3

June 30, 2020

Dear Minister:

RE: Physician Payment Review Board Annual Report

On behalf of the Physician Payment Review Board, it is my pleasure to submit the 2019-20 Annual Report.

Yours sincerely,

Sandra Evora,
Registrar, Physician Payment Review Board

Table of Contents

Table of Contents	1
Registrar's Message.....	2
Legislative Authority and Mandate	3
Mission	3
Legislative Changes	3
Caseload Statistics.....	3
Summary of Activity.....	3
Service Standards	4
Membership	5
Physician Members (December 10, 2019)	5
Public Members (December 10, 2019)	6
Staff.....	6
Financials	7

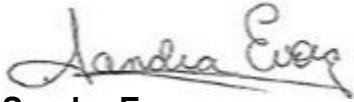
Registrar's Message

On behalf of the Physician Payment Review Board (PPRB), it is my pleasure to submit our Annual Report for the fiscal year of 2019-20.

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

On December 10, 2019, as part of Bill 138: *Plan to Build Ontario Together Act, 2019*, legislative changes were passed that required the functions of the PPRB to be absorbed by the Health Services Appeal and Review Board (HSARB).

At the time that Bill 138 received royal assent and came into force, the PPRB did not have any active matters where a panel had been constituted and a hearing was in progress. As such, the remaining active files with the PPRB were absorbed into the mandate of HSARB and the work of the PPRB was concluded.

A handwritten signature in black ink, appearing to read 'Sandra Evora', with a stylized flourish at the end.

Sandra Evora

Registrar, Physician Payment Review Board

Legislative Authority and Mandate

The Physician Payment Review Board (PPRB) is an independent adjudicative agency established in Section 5.1 of the *Health Insurance Act* (HIA). The Board 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* and delegated authority under the *Public Service of Ontario Act*.

The PPRB conducts hearings regarding payment disputes between physicians and the General Manager of the Ontario Health Insurance Plan (OHIP). Where a billing dispute between a physician and the General Manager cannot be resolved through the provision of education and other assistance, the PPRB provides an appeal process that is at arm's length from the Ministry of Health.

Mission

The PPRB is committed to providing the highest quality service to the public, and to being valued partners in the delivery of health care in Ontario for all stakeholders in accordance with the Board's mandate above.

Legislative Changes

On December 10, 2019, Bill 138: *Plan to Build Ontario Together Act, 2019*, received Royal Assent. Within the Act, amendments were made under the *Health Insurance Act* that the provisions governing the PPRB be repealed and be redirected to the Health Services Appeal and Review Board (HSARB). As of December 10, 2019, the PPRB was no longer accepting requests for appeal, and was redirecting all requests to the HSARB.

At the time that Bill 138 received royal assent and came into force, the PPRB did not have any active matters where a panel had been constituted and a hearing was in progress. As such, the remaining active files with the PPRB were absorbed into the mandate of HSARB and the work of the PPRB was concluded.

Caseload Statistics

Summary of Activity

The PPRB received 9 requests for appeal in 2019-20.

The PPRB generally experiences fluctuating levels of active appeals, and the requests received in 2019-20 were much lower than the requests received in the previous fiscal year, as

the PPRB did not process any requests for appeal after December 10, 2019. The onus is on a physician or the General Manager of OHIP to initiate an appeal with the PPRB.

Please note regarding the statistics provided below, a physician may submit several appeals to the PPRB dealing with the same billing issue and these appeals may be grouped for the purposes of a case conference or hearing.

Please also note that the Board may conduct multiple pre-hearing case conferences in the same matter when narrowing down the issues before the hearing, or while resolving the billing dispute.

	2015-16	2016-17	2017-18	2018-19	2019-20
Appeals Received	13	10	32	14	9
Case Conferences Convened	17	3	41	10	8
Matters Heard ¹	1	2	1	1	0
Matters Resolved ²	15	25	32	15	12
Decisions Issued	1	2	1	1	0

Service Standards

The PPRB's goal was to meet the below service standards 80% of the time. One of the service standards was met more than 80% of the time in 2019-20.

Service Standard	Achievement for 2019-20
New requests for appeal will be acknowledged within 10 business days	77% of appeals were acknowledged within 10 business days upon receipt of the request to appeal and the decision being appealed³

¹ Includes both motion hearings (e.g. in regard to the jurisdiction of the PPRB) and appeal hearings.

² Refers to those matters closed due to decision issuance or that did not proceed due to appeal withdrawal, no jurisdiction or administrative closure.

³ Acknowledgement of an appeal requires that the PPRB has received a copy of the decision of the General Manager of OHIP. Where there is a delay in receiving this decision, the PPRB's acknowledgement may be delayed. The service standard achievement is calculated based on the date that the PPRB has both a request for an appeal and a copy of the decision of the General Manager of OHIP.

The average length of time for appeals from intake to final disposition will be less than 10 months, unless the Board allows additional time on request of a party	• All appeals closed in 2019-20 were resolved within less than 7 months • The average length of time for appeals from intake to final disposition was less than 4 months
--	---

Membership

The PPRB was made up of physician and public members, appointed by the Government of Ontario.

The PPRB was to be comprised of no fewer than 26 and no more than 40 members who shall be appointed by the Lieutenant Governor in Council on the recommendation of the Minister, as follows:

- No fewer than 20 and no more than 30 members who are physicians, one-half of whom are to be selected by the Minister for the Minister's recommendation, and one-half of whom are to be selected by the Ontario Medical Association for the Minister's recommendation. If there are not sufficient nominees put forward by that Association to permit the minimum number of 20 physicians to be appointed, the Minister may recommend sufficient physicians to meet or exceed the minimum requirement.
- No fewer than six and not more than 10 members who are not physicians and who are selected from the public.

As of December 10, 2019⁴, there were 6 physician members and 4 public members.

All PPRB members are part-time appointees.

Physician Members (December 10, 2019)

Name	Practice	First Appointed	Term Ends
Melanie Beaton	Internal Medicine, Gastroenterology	April 2010	April 2020
Shawn Kao	Pediatric Medicine	April 2010	April 2020
Robert Lane	General Surgeon	July 2012	July 2022
Naveed Mohammad	Emergency Medicine, Trauma	April 2010	April 2020

⁴The date that Bill 138 received Royal Assent, and all functions of PPRB were transferred to HSARB

Name	Practice	First Appointed	Term Ends
Michael Nicolle	Neuromuscular & Electrodynamic Medicine	April 2010	April 2020
Navdeep Nijhawan	Ophthalmology	January 2013	January 2023

Public Members (December 10, 2019)

Name	First Appointed	Term Ends
Tammy Balitsky	April 2010	April 2020
Louise Belanger-Hardy	February 2018	February 2020
Catherine Egerton (Vice Chair)	April 2010	April 2020
Sonia Ouellet	February 2018	February 2020

Staff

The PPRB is supported by 21 staff in the Health Boards Secretariat (HBS) of the Ministry of Health. The HBS is led by a Registrar and includes an executive support team, case management team, administrative support team, and information technology team.

The HBS's staff also provides support to four other adjudicative bodies – the Health Professions Appeal and Review Board, Health Services Appeal and Review Board, Ontario Hepatitis C Assistance Plan Review Committee, and the Medical Eligibility Committee. The PPRB's office space and Toronto hearing rooms are also shared with the other adjudicative bodies. The HBS also processes per diem and expense claims to public members of the health regulatory colleges and fee-for-service claims and assessment order invoices related to matters before the Consent and Capacity Board and Ontario Review Board.

The shared resource structure provides financial and operational efficiencies, including the ability to shift resources in line with what can be a variable appeal volume to the adjudicative bodies. This shared resourcing model is consistent with recent trends in the administrative justice sector in Ontario towards clustering of agencies.

Financials

The below financial information does not include salary and wages for HBS staff or facility costs as these expenditures are shared between the PPRB, Health Professions Appeal and Review Board, Health Services Appeal and Review Board, Ontario Hepatitis C Assistance Plan Review Committee, and the Medical Eligibility Committee and also support the HBS's paymaster function.

The PPRB saw a much smaller total number in 2019-20 because it did not process any new requests after December 10, 2019.

Expenditure Category	2015-16	2016-17	2017-18	2018-19	2019-20
Part-Time Per Diem Payments	21,128	27,502	15,805	17,626	20,151
Travel ⁵	1,991	2,643	374	2,434	-
Legal Services	14,436	8,486	12,230	33,043	4,166
Other Services, Supplies, etc. ⁶	3,246	12,189	13,755	8,337	3,558
Total	40,801	50,820	42,164	61,440	27,875

⁵ May include transportation, accommodation and/or meals.

⁶ May include translation services, services to convert public documents into an accessibility compliant format, access to a legal database, signage etc.