

Consultant 125

20 September 2012

Dear Sir/Madam

I have been working in Private Practice for [X] years as a vascular surgeon. At the beginning of that period there was a ruling that the BMA could not publish recommended levels of remuneration as it was anti-competitive. Since then there has been no rise in fees despite about 100% inflation over the period in the RPI. Therefore over the years my income has proportionately shrunk.

However BUPA are now acting to distort the market by reducing the levels of remuneration by up to 40% for routine procedures such as hernias and varicose veins. They have not told their clients that they have cut their cover but rather portray doctors as charging more than their recognised fees. This means that they are acting as a cartel and saying that everyone should only charge at the levels that they dictate. This is particularly difficult for new consultants who have had to sign up not to charge more than BUPA rates otherwise BUPA will not recognise them in the first place. This therefore produces competition on cost that is unrelated to experience or results. Patients may therefore be persuaded not to go to high quality experienced surgeons but rather go to the inexperienced cheaper surgeons who do not have audit data to make any claims about their ability. This is therefore anti-competitive.

In a similar vein BUPA have written to me and said that they will only recognise consultants who carry out investigations if they will drop their fees to the new lower BUPA rate. I have been carrying out Duplex scanning in the NHS and the private sector for years. They have now written to me to say that they will not recognise me for carrying out the investigations because I will not sign the clause saying that I will work within their new low rates. This is anti-competitive and again goes to the cheapest and least experienced operators. By saying that they do not recognise me it means that either the patient has to pay the whole fee for my one stop clinic which includes a scan or have three appointments whereby they see me for an initial consultation, then make an appointment to see someone else for a scan and the a third day off work to see me to see if the scan has shown anything that needs action at a further appointment. This is not in patients interests at any level. If someone is recognised by the NHS, then BUPA should not have the authority to say that they do not recognise them and will not pay them any fee. This removes the right of a doctor to earn a living by carrying out private investigations. It is anti-competitive.

I therefore request that the commission rules that

1. the insurers cannot drop repayment of fees below existing standards without telling patients that they are reducing cover and giving the patients the opportunity to either pay more for cover or have the right to switch to another provider without penalty.
2. The insurers should not be allowed to refuse recognition of a doctors skills purely because he will not drop his fees to the level that they are now covering patients.