

## Consultant 209

12 February 2013

I believe this is the right address for comments relating to the Competition Commission's inquiry into the private healthcare market, if not perhaps you could forward this e-mail appropriately.

My comments relate specifically to the BUPA partnership arrangement and to what appears to be an abuse of their position in this. BUPA's consultant partnership arrangement gives consultants a 10% 'bonus' on procedures carried out over the course of a year as long as the consultant charges within BUPA's limits throughout that period. BUPA describe this as a 'gentleman's agreement', there's no contract (the more recent 'Premium' consultant partnership arrangement is different in this regard). BUPA unilaterally imposed cuts in reimbursement for many of its procedures last year, part way through many surgeon's partnership year. Eye surgeons such as myself have seen cuts of more than 60%, for example for cataract surgery. As a result a surgeon not accepting the new rates was left with a dilemma: work to the end of the partnership year at the lower rate and retain the 'bonus' or leave the partnership and forego not just the bonus that would accrue for the remainder of the partnership year but also the bonus nominally built up that far for work done during that partnership year. BUPA was quite clear on this: there was no pro-rata payment available, you either submitted to their new rates immediately or lost the whole year's bonus. Does this not appear to be an abuse of BUPA's position in this partnership arrangement, one that fails to recognise the agreement made by the consultant and that demonstrates BUPA is prepared to be coercive in its dealings with it's consultant 'partners'?