

## Consultant 11

4 February 2014

My comments on your recent report are as follows:

- 1) BUPA and AXA/PPP together make up well over 60% of the PMI market, which is surely a panopoly.
- 2) Some of the PMIs are price fixing, which is clearly anti-competitive.
- 3) The actions of some of the PMIs in forcing newly appointed consultants to have to sign up to highly restrictive contracts to be allowed recognition is an anti-competitive restriction of trade, as well as being discriminatory.
- 4) Increasingly, some of the major PMIs are actively diverting GP and physio referrals, interfering with the patient's medical care and removing the patient's right to choose which consultant they might want to see. By removing patient choice and also by removing the right of a patient to even be allowed to pay a top-up fee is an anticompetitive distortion of the market that is clearly to the detriment of the 'consumer'.
- 5) The ability of the major PMIs (who have a controlling panopoly) in delisting consultants purely on the basis of fee levels (with the consultant having no right to any independent appeal) again represents a clear anticompetitive restriction of trade.
- 6) The 'remedies' that the CC is suggesting in their provisional report will do nothing to improve the private healthcare sector for the benefit of the consumer (the patient!).