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18<sup>th</sup> July 2019

Program Management Team  
Hearing Services Program  
Australian Government Department of Health  
[hearing@health.gov.au](mailto:hearing@health.gov.au)

Dear Program Management Team,

**RE: ACAud submission in response to Hearing Services Program – Service Provider Contract  
Redevelopment Consultation**

Thank you for the opportunity for the Australian College of Audiology (ACAud) to provide feedback on the consultation draft of the Hearing Services Program Service Provider Contract. ACAud appreciate that the Department of Health value the role of the Practitioner Professional Bodies (PPB) and are seeking their feedback on the proposed contract. ACAud understand that the requirements in the draft contract may be subject to change following the Government's consideration of the proposed new contract.

ACAud's members have considered the consultation draft of the contract. We have collated this feedback and summarised the clauses we believe require further clarification in the attachment to this letter (p.2).

Once again, thank you for giving our members the opportunity to provide feedback on the draft proposed contract. Should you require any further information or require clarification, please do not hesitate to contact me.

Yours Sincerely,

A handwritten signature in black ink that reads "Michael Smith".

**MICHAEL SMITH**  
**ACAud President**  
[michael.smith@acaud.org](mailto:michael.smith@acaud.org)

## Attachment- ACAud feedback on Hearing Services Program – Service Provider Contract Redevelopment Consultation Draft

### 9- Device Supply Arrangements

#### Clause 9.5

On p.4 of the document 2019 Contract Redevelopment – Proposed Changes it is stated that:

- “All providers are required to provide, in writing, a disclosure of their device supply arrangements.
- The existing preferred supplier relationship disclosure requirements have been expanded to include disclosure of commissions, and where providers sell their own devices.”

These requirements are reflected in Clause 9.5 of the proposed contract. ACAud hopes that the template quotes to be provided by the Department of Health (see p.4 of the document 2019 Contract Redevelopment – Proposed Changes) will provide further clarity on this matter and requests the following specific issues be addressed:

- **ACAud requests the Department of Health provide detailed guidance on whether or not disclosing all device supply arrangements to clients may lead to privacy breaches of Commercial in Confidence information, especially if the client relocates and shares this information with a new provider.** ACAud requests that the further guidance to be developed includes detailed information on the level of detail that should be given and any privacy considerations when disclosing device supply arrangements to Voucher holders.
- **ACAud would appreciate a timeline on when the template quotes and guidance document may become available.**
- **ACAud would appreciate the opportunity to provide feedback on the template quotes and guidance documents before they are published by the Department of Health.**

#### *Quote to be provided for all clients, including those receiving fully subsidised devices*

On p.4 of the document 2019 Contract Redevelopment – Proposed Changes it is stated that “A device quote will be required to be provided for both fully and partially subsidised devices.”.

However, it is not clear where this requirement is reflected in the proposed new contract.

**ACAud seeks further information and clarity in the contract regarding the requirements for quotes for fully subsidised aids.**

**Furthermore, ACAud would appreciate information on why this advice appears to have changed from the April 2017 advice from the Office of Hearing Services that providers were not required to provide quotes for fully subsidised (free to client) devices.**

### 12- Payments to the Service Provider

On p.4 of the document 2019 Contract Redevelopment – Proposed Changes, it mentions that a signature on the claim form is no longer a requirement, but that other records must be kept that substantiate all claims for payment (clause 12.3(a)).

**ACAud members requested advice on what records should be kept that substantiate claims for 700/710 (Maintenance and Batteries).** For example, is the client contribution payment sufficient, or is evidence of an appointment and consultation with the practitioner also required? Also, how should 700/710 claims be substantiated for Department of Veteran’s Affairs clients who are not required to pay a client contribution for maintenance and battery claims?

## 16- Audit and Access

**ACAud seeks further clarification on the requirements under which circumstances and for which purposes private files of Hearing Service Program clients may be audited.** ACAud members seek clarification on whether or not this will include records relating to additional items Voucher holders may choose to purchase that fall outside of the Hearing Services Program such as Assistive Listening Devices (ALDs), ear plugs, hearables, PSAP's and other additional accessories.

**ACAud queries whether the auditing of the sale of private devices that fall outside the Hearing Services Program falls within the remit of the Department of Health. ACAud would like clarification as to the role the Department of Health could and would play if concerns were identified by the Department of Health regarding the sale of items outside of the Hearing Services Program.** ACAud members asked whether quality control and regulation of the sale of devices outside of the Hearing Services Program weren't instead the responsibility of other bodies such as the Australian Competition and Consumer Commission and the Therapeutic Goods Administration.

**ACAud suggests that it may be necessary for the Department of Health to provide a waiver form that Hearing Services Clients must sign when they choose to purchase hearing devices and accessories outside of the Hearing Services Program which outlines when, why and by whom their records may be audited.**

## 21- Subcontracting

*Clause 21.1 (p.23)– 'The Service Provider may subcontract any part of the performance of this contract except to the extent prohibited by the Act'*

ACAud feedback: This appears contradictory to the text in the document 2019 Contract Redevelopment – Proposed Changes which states that *"providers will no longer be able to subcontract the delivery of clinical hearing services, except in the case of obtaining locum support"* (p.6).

**ACAud requests that further clarification of when subcontracting is allowed is provided in Clause 21.**

## 23- Insurance

*Clause 23.3 (p.24) – 'The Service Provider must ensure that each Qualified Practitioner and Provisional Practitioner it engages is covered by a professional indemnity insurance policy in the amount specified'*

ACAud feedback: There is no longer a requirement for each practitioner to hold separate indemnity insurance according to the 2019 Contract Redevelopment – Proposed Changes which states that *"requirements to hold separate professional indemnity for each and every practitioner have been removed and providers will be required to hold professional indemnity that covers all practitioner delivering services to program client"* (p. 7). However, this is not clear in Clause 23.3 of the proposed contract.

**ACAud requests that Clause 23.3 clearly states that professionally indemnity insurance must cover all practitioners providing services, but each individual practitioner is not required to hold their own separate insurance.**

## Schedule A – Contract Information

The document 2019 Contract Redevelopment – Proposed Changes refers to changes that will be made to Schedule A- Contract Information. However, a copy of the proposed draft Items B and E of Schedule A was not provided for review as part of this consultation.

Item B- Standards and Item E- Conditions of Accreditation are of particular interest to ACAud due to the role ACAud plays in supporting professionals standards and accreditation for hearing service providers. From General Changes point C on p.1 of the Proposed Changes document, we assume that Item B- Standards will reflect the existing program standards and will remain largely unchanged for the

2019-20 financial year. However, General Changes point D on p.1 of the Proposed Changes document suggests there may be further revision of the standards in 2019-20.

**ACAud requests that its members have the opportunity to contribute to any changes to the Standards and Conditions of Accreditation associated with the provision of services under the Hearing Services Program.**