

January 27, 2020

Dear Colleague,

I am writing with an important update on Bill 10. With your support, we have successfully resolved the proposed changes to the audit process introduced by the provincial government in this legislation.

As you recall, the government signaled an intent to increase auditing of doctors' fee-for-service billings. Last year they introduced legislation which would have empowered the Minister and his auditors to have the final say on billing disputes, stripping doctors of their right to an appeal and resolution process if they disagreed with the auditor's findings.

Since I last wrote to you, Doctors Manitoba staff have worked tirelessly through December and January on this issue, negotiating with provincial health officials on a solution. This weekend, the Minister of Health, Seniors and Active Living confirmed in writing that he will amend the pending legislation, as we requested, to restore fairness to the audit process. I have enclosed a copy of his letter for your information.

Our staff worked diligently to ensure this amendment will reinstate fairness to the audit process. The Minister has committed these amendments will be made when the legislature resumes sitting, before Bill 10 is finalized and passed into law.

Most importantly, this change will respect – rather than override – the dispute resolution process we already have in place in our Master Agreement with the government. This process works, ensuring billing errors and audit errors are rectified respectfully.

**What this means to you:** Should you be audited, you will continue to have the right to appeal an auditor's findings through the dispute resolution process under our Master Agreement. We have worked with government officials to strengthen the wording in the Physician Manual, to ensure the government cannot start collecting any debts following an audit until the matter is resolved, either because you have reached an agreement with an auditor or through the conclusion of the dispute resolution process.

It must be said this issue would not have been resolved without your actions. Hundreds and hundreds of doctors from across Manitoba contacted the Premier, the Minister or their local MLA to express their deep concerns. You shared your views in emails, postcards, letters and meetings.

Doctors from all disciplines let their voices be heard, not only those fee-for-service physicians at risk of unfair audits. Their alternatively-funded colleagues stood shoulder-to-shoulder with them and spoke out against this proposed draconian law. This was a profound demonstration of the power of unity within the medical profession and you stood strong, together, when we needed it the most.

Thank you for taking the time to act.

I would like to recognize the hard work of the staff at Doctors Manitoba. They have done an exemplary job of managing this issue, anticipating what might come next and focusing on fairness for you as a member.

While we have successfully reinstated fairness into the audit process, the potential of more frequent audits remains. We know doctors strive to be accurate in their billing and we have always acknowledged that fair audits are part of an accountability mechanism for the taxpayers of Manitoba. To that end, you should know the staff at Doctors Manitoba are available to offer you information and guidance on the Physician Manual to avoid errors. If you face a billing audit, our staff are also available to assist you through this process and we encourage you to contact the office. Should you need assistance, you can contact the office at 204-985-5888 or [general@doctorsmanitoba.ca](mailto:general@doctorsmanitoba.ca).

I look forward to celebrating our unity as a profession with you at our annual awards gala this spring. ***Please mark your calendars and save the date: Friday, May 8 at the RBC Convention Centre. Registration information will follow.***

Respectfully Submitted,

*Fourie Smith*

Dr. Fourie Smith  
President, 2019-20

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**MINISTER  
OF HEALTH, SENIORS AND ACTIVE LIVING**

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January 24, 2020

Dr. Fourie Smith  
President  
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Dear Dr. Fourie Smith:

Further to my letter dated December 19, 2019 and as a result of meetings between our respective officials, I am pleased to confirm that a resolution has been reached to make it clear that Manitoba physicians will continue to have access to the dispute resolution provisions of the Master Agreement as has been the intention of the government since the introduction of Bill 10. The addition of the phrase "subject to any dispute resolution mechanism set out in an agreement made under section 74" (ie the Master Agreement) to section 95.1(4) in the Bill will provide this clarity.

It is our belief that this amendment will ensure fairness for physicians and is in the best interest of all Manitobans.

We are pleased that a resolution has been achieved and look forward to ongoing work to implement the Master Agreement.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cameron Friesen".

Cameron Friesen