

Number: MED 235	Date: Sep 16, 2020
Subject: Physician Payment Disclosure	Reference: Alberta Health Care Insurance Act, Physician Payment Disclosure Regulation, Physician Payment Disclosure Exemption Policy

To: All physicians

Government will publicly disclose physician payments by Nov. 9, 2020. The first phase in fulfilling this commitment is the launch of a physician payment disclosure exemption process.

We are committed to protecting the safety and security of physicians. Physicians may apply for an exemption by Oct. 7, 2020 if they believe disclosure would unduly threaten their safety.

Physician payment disclosure is in accordance with the *Alberta Health Care Insurance Act* and the Physician Payment Disclosure Regulation.

What will be disclosed?

- Total Fee for Service (FFS) payments made in respect of a physician at the date of disclosure for insured medical services provided within the reporting period to Alberta residents.
- First, middle and last name of the physician in respect of whom the payment for insured medical service(s) was made within the reporting period, as of the date of the most recent fiscal year's disclosure.
- City or town of the facility/location where the physician provided the most insured medical service(s) within the reporting period.
- Branch of medical practice (i.e. primary specialty) under which the physician received the most FFS payments for insured medical service(s) provided within the reporting period.
- Number of discrete patients, excluding repeat visits by those patients, a physician provided insured medical services to, and in respect of which FFS payments were made, within the reporting period.
- Number of days within the reporting period on which a physician provided at least one insured medical service in respect of which a FFS payment was made.

When will it be disclosed?

- The physician payments for the April 1, 2017 – March 31, 2018; April 1, 2018 – March 31, 2019; and April 1, 2019 – March 31, 2020 Government of Alberta fiscal years will be disclosed by November 9, 2020 and following the October 7, 2020 exemption application deadline. For subsequent years, this information will be disclosed annually on or before June 30.

Where will this information be disclosed?

- This initiative is part of the new physician funding framework and all associated information will be posted at: <https://www.alberta.ca/physician-funding-framework.aspx>

Will there be exemptions from physician payment disclosure?

- Yes. Physicians may be granted an exemption from public disclosure if the designated official from Justice and Solicitor General determines it could unduly threaten their safety.
- Final exemption decisions will be on a case-by-case basis.

How do physicians apply for an exemption?

- Further details on how to apply for an exemption can be found on the [Physician Payment Disclosure](https://www.alberta.ca/physician-payment-disclosure) website posted online at: <https://www.alberta.ca/physician-funding-framework.aspx>.
- Completed and signed applications for exemption should be sent to health-pcsp.admin@gov.ab.ca to be reviewed.
- There must be one form for each individual physician. Alberta Health will not recognize applications for groups of physicians. In order to be considered, each application must describe the specific personal circumstances necessitating an exemption from public disclosure.

What could be considered undue threat to a person's safety?

- The onus is on the applicant to set out, in the application form, facts that demonstrate the potential undue threat to an applicant's safety because of the payment disclosure.
- Examples of circumstances that may justify an exemption include:
 - long-standing harassment, spousal abuse, or stalking issues; and
 - specific and credible threats against their safety where the disclosure could be linked to the threat.
- Generally, exemptions are less likely to be granted when:
 - a potential threat appears to be purely speculative;
 - payment disclosure is unlikely to worsen safety risks that existed prior to disclosure;
 - the applicant is merely opposed to the concept of payment disclosure;
 - the applicant's name is already published on an employee list, particularly where the organization's salary ranges are also public or readily accessible; or
 - the applicant's name is already published on a list hosted by the College of Physicians & Surgeons of Alberta, Alberta Health Services or other health entity or other health entity listed in section 20.3(2) of the *Alberta Health Care Insurance Act*.

- These examples are illustrative only and are not binding on the designated official from Justice and Solicitor General who will make exemption application decisions on a case by case basis. Applicants should include all appropriate facts that may be relevant.

How is the Physician Payment Disclosure Exemption Form reviewed?

- As described above, each application will be reviewed to determine whether disclosure could unduly threaten the individual's safety.
- The applicant must provide sufficient information to establish a threat that is logically connected with, and could flow from, disclosure of the individual's information under the Act. Such threats are those that would not ordinarily occur because of the nature of the individual's profession.

Why would an application be denied?

- Too vague
 - The applicant states that disclosure will adversely affect them but the information supplied is too general to identify a specific threat to their safety. An applicant must provide concrete and realistic reasons for seeking an exemption, which must not be vague or speculative.
- Threat is not related to individual safety
 - The applicant states that disclosure will adversely affect them by, for example, breaching their privacy or affecting their peer relationships. Non-safety related concerns are insufficient to meet the statutory test for an exemption.
- Threat to individual's safety is not connected to disclosure
 - The applicant works in an environment where they must deal with difficult people, or inherent with the position is a level of risk. As noted above, the Act does not protect against all or any possible threats to safety. The threat must be undue and logically associated with the disclosure of an individual's payment information.

What happens when an exemption is granted?

- The designated official from Justice and Solicitor General will notify the individual (i.e., the applicant) and Alberta Health, which is the department responsible for publishing the disclosure list.

Do exemptions expire?

- Exemptions are generally valid for five years unless the circumstances warrant an earlier expiry date. Where an exemption expires, disclosure will resume for the succeeding years. It is the responsibility of the applicant to monitor the expiry dates for the exemption and re-apply, if necessary.

Example

Payment Year	Deadline for Exemption Application	Disclosure Will Resume	Deadline to Re-Apply
2017-18 2018-19 2019-20	October 7, 2020	June 30, 2025 (for 2024-2025 payments)	January 1, 2025

Inquiries:

- Any inquiries regarding this change can be sent to health-pcsp.admin@gov.ab.ca.

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