



Australian Government

Department of Health and Aged Care

FOI reference: FOI 4497

PHS
Right to Know

by email: foi+request-10401-586691da@righttoknow.org.au

Dear PHS

Decision on your Freedom of Information Request

I refer to your request of 22 June 2023, to the Department of Health and Aged Care (the department), seeking access under the *Freedom of Information Act 1982* (Cth) (FOI Act) to:

In 2022 the Department of Health engaged the, then, Independent Hospital Pricing Authority (now, IHACPA) to provide advice to the private health sector on alternative bundling arrangements for General Use Items on the Prostheses List.

As part of this project, IHACPA created the IHACPA Prostheses List Reform Working Group, held meetings of this group, held consultation meetings with the wider private health sector, developed consultation papers, drafted guidance, released a Microsoft Excel based 'bundling tool', and updated their guidance to its final iteration.

Can the Department of Health advise the cost of engaging IHACPA to perform this work? Total cost, and a breakdown of this total cost by task/project/function if also possible.

I am authorised under subsection 23(1) of the FOI Act to make decisions in relation to Freedom of Information requests. I am writing to notify you of my decision on your request.

FOI decision

I have decided to grant access to part of your request and refuse access to part of your request.

Section 17 - Requests involving use of computers etc

In your request, you have asked 'Can the Department of Health advise the cost of engaging IHACPA to perform this work?'

The above part of your request is seeking access to data that is held in computer systems ordinarily available to the department. Pursuant to section 17 of the FOI Act, the department has used its computer systems to produce the following information in discrete form in response to this part of your request:

'Funding of \$4.391 million over 4 years of the Prostheses List Reform (2021-22 to 2024-25) was provided to the Independent Health and Aged Care Pricing Authority (IHACPA - previously known as the Independent Hospital Pricing Authority) to complete numerous activities, including work in the General Use Item and bundling space.'

Section 24A - Requests may be refused if documents cannot be found, do not exist or have not been received

You have also requested *..a breakdown of this total cost by task / project / function if also possible.'*

The department does not hold information regarding the above part of your request. Whilst the department provides funding for the IHACPA as described above, IHACPA is independent from the department. The department does not determine how the IHACPA distributes these funds to complete the various activities, projects and tasks needed to fulfill its functions relating to providing advice to the department on the General Use Items and bundling arrangements.

Therefore, I have decided to refuse this part of your request under section 24A of the FOI Act as the documents do not exist.

Legislative provisions

The FOI Act, including the provisions referred to in my decision, are available on the Federal Register of Legislation website: www.legislation.gov.au/Series/C2004A02562.

Your review rights

I have set out your review rights at **ATTACHMENT A**.

Contacts

If you require clarification of any matters discussed in this letter you can contact the FOI Section on (02) 6289 1666 or at FOI@health.gov.au.

Yours sincerely



Elizabeth Flynn

Assistant Secretary
Prostheses List Reform Taskforce

11 July 2023

ATTACHMENT A.

YOUR REVIEW RIGHTS

If you are dissatisfied with my decision, you may apply for a review.

Internal review

You can request internal review within 30 days of you receiving this decision. An internal review will be conducted by a different officer from the original decision maker.

No particular form is required to apply for review although it will assist your case to set out the grounds on which you believe that the original decision should be changed.

Applications for internal review can be made by:

Email: FOI@health.gov.au

Mail: FOI Unit (MDP 516)
Department of Health and Aged Care
GPO Box 9848
CANBERRA ACT 2601

If you choose to seek an internal review, you will also have a right to apply for Information Commissioner review (IC review) of the internal review decision once it has been provided to you.

Information Commissioner review or complaint

You also have the right to seek Information Commissioner (IC) review of this decision. For FOI applicants, an application for IC review must be made in writing within 60 days of the decision. For third parties who object to disclosure of their information, an application for IC review must be made in writing within 30 days of the decision.

If you are not satisfied with the way we have handled your FOI request, you can lodge a complaint with the OAIC. However, the OAIC suggests that complaints are made to the agency in the first instance.

While there is no particular form required to make a complaint to the OAIC, the complaint should be in writing and set out the reasons for why you are dissatisfied with the way your request was processed. It should also identify the Department of Health and Aged Care as the agency about which you are complaining.

You can make an IC review application or make an FOI complaint in one of the following ways:

- online at www.oaic.gov.au/freedom-of-information/reviews-and-complaints/
- via email to foidr@oaic.gov.au
- by mail to GPO Box 5218 Sydney NSW 2001, or

- by fax to 02 9284 9666.

More information about the Information Commissioner reviews and complaints is available on the OAIC website here: www.oaic.gov.au/freedom-of-information/foi-review-process.

Complaint

If you are dissatisfied with action taken by the department, you may also make a complaint directly to the department.

Complaints to the department are covered by the department's privacy policy. A form for lodging a complaint directly to the department is available on the department's website here: www.health.gov.au/about-us/contact-us/complaints