



IPU Contract Unit – how can we help you?

What should you do if you are called to a meeting with the HSE PCRS to discuss what they characterise as ‘unsupported’ or ‘potentially invalid’ claims from your pharmacy? What course of action do you take if you are subject to a claims investigation? What do you do if you are confronted with a HSE inspector in your pharmacy? The first thing to do is pick up the phone to us; it’s what we’re here for. In this article, Derek Reilly, Contract Manager, IPU, outlines the services and advice that the IPU Contract Unit can offer to IPU members.

Many members may be unaware that there is help and advice available to them at the end of the line. Sometimes you may only need some assurance that in fact you are doing everything completely right, and other times it may be that you do need additional help and support. The important thing is to call us. It’s the first step to addressing the issue – whatever that issue might be.

Since the lifting of the recruitment embargo in the public service in 2014, the HSE PCRS has been hiring again. This means there is



an increase in the number of staff scrutinising pharmacy claims. A significant increase in the number of pharmacy inspectors is also expected in the coming year. This ever-increasing probity and scrutiny means pharmacists are more likely than ever before to receive a letter from the HSE PCRS examining or querying claims. We can assist you in drafting your response to these letters and are happy to review any correspondence, on your behalf, before you send it to the HSE PCRS.

If there are circumstances where you are requested to meet with the HSE PCRS, we can advise you on whether you should attend and the most appropriate representation to bring with you and, should you need it, point you in the direction of further professional/legal advice. In some circumstances, we will attend the meeting with you and advocate on your behalf. It cannot be emphasised enough, however, that you should always contact the IPU for advice if you are called to a meeting – then make your decision on what to do next.

The Contract Unit can also advise you on all aspects of processing claims for payment. It can often happen that a pharmacy is not reimbursed correctly, generally for an unusual or expensive item, or is not happy with the HSE's response to a payment query. In those cases, we can advise you on how to proceed and, if necessary, raise the matter directly with the PCRS on your behalf. Every six to eight weeks, we meet with the HSE under the auspices of what is known as the Joint Operational Group (JOG). The purpose of the JOG is to allow direct liaison and discussions between the IPU and the PCRS on matters of an administrative/operational nature with a view to resolving, where possible, issues with payment

of claims for individual pharmacists. In other words, this forum is where we, in the Contract Unit, meet the PCRS face to face in an effort to resolve payment issues on your behalf. The Contract Manager is also Secretary to the Pharmacy Contractors' Committee (PCC). The PCC is responsible for all matters relating to the Community Pharmacy Contractors' Agreement and pharmacy contract, and negotiating with the Department of Health and the HSE on remuneration and policy issues.

The Joint Consultative Group (JCG) meets four or five times a year. Members of the PCC, the Secretary General and the Contract Manager meet with officials from the HSE PCRS through this forum. The JCG was established with the objective of maintaining stable contractual relations between the parties. The terms of reference for the JCG and JOG are set out in a Relationship Values Charter, signed by the IPU and HSE in 2016. The Charter may sometimes seem at odds with our day-to-day interaction and current strained relations with the HSE PCRS, but the JCG does provide us with a regular forum where we can highlight the concerns of our members to senior officials within the PCRS. At our most recent meeting in September, the agenda included the Pharmacy Interface Project, phased dispensing approvals, the High Tech Hub and HSE reimbursement prices – any of which would merit an article in themselves.

What to do in the event of an inspection of your pharmacy by the PCRS was covered in detail in an article in the *IPU Review* in July and this is available in the HSE Contract section of our website. Remember, it is important to be prepared for an investigation at any time and, while you have to facilitate inspectors under the

terms of your contract with the HSE, you have a right to enjoy fair procedures in the conduct of that inspection. In the event of an inspection, you should always contact the IPU.

In rare but serious circumstances, a pharmacy contractor may receive correspondence from the office of the Director General of the HSE stating that there is reason to believe that the contractor has failed to comply with the terms of their contract and allowing 14 days to respond to the allegations. Anyone receiving one of these letters, who has not already done so, should immediately seek the advice of the IPU and indeed legal advice before responding. The likelihood is that a Committee of Investigation, as set out in the CPC Agreement under Clause 16, could be established on foot of your response. The Committee, which is chaired by a legally qualified person nominated by the Minister for Health in consultation with the PCC, can, if a complaint is upheld, result in the termination of your contract; hence, the importance of seeking legal advice as early as possible.

One thing pharmacists must never do is bury their head in the sand hoping a problem will go away. The problem rarely, if ever, resolves itself on its own. We have seen issues that potentially could have been resolved through a negotiated settlement, but have instead been escalated to a Committee of Investigation because of a pharmacy contractor's failure to seek help when concerns were first raised by the HSE PCRS. The earlier you seek advice or help, the better able we are to assist you in reaching a resolution.

All individual queries are dealt with in the strictest confidence. We also have lots of useful information relating to your contract, the HSE PCRS and Department of Health on the members' section of our website, which you should avail of. In short, we're here to help you, the member, so please avail of our services.

You should contact Derek or Aoife in the IPU Contract Unit:

- For advice on all aspects of processing claims;
- For advice on all aspects of the pharmacy contract;
- For assistance in responding to direct correspondence from the HSE PCRS;
- If you are called to a meeting with the HSE PCRS;
- If your pharmacy is inspected by the HSE PCRS;
- If you are subject to a claims investigation; and
- If you are subject to an investigation under the pharmacy contract.

How to contact/access the IPU Contract Unit

Telephone: 01 406 1557 / 01 493 6401

Derek Reilly
Contract Manager
derek.reilly@ipu.ie

Aoife Garrigan
Contract Administrator
aoife.garrigan@ipu.ie

