



Key Messages for Staff Members and Patients of Dentists Who Have Withdrawn

Current situation

Thousands of Quebec dentists are participating in a collective movement to pressure the government into recognizing:

- the value of their contribution to the public oral health plan;
- the importance of maintaining a public oral health plan that is accessible to all Quebecers, especially vulnerable segments of the population.

In fact, by refusing to reach an agreement with dentists, the government is weakening the public plan, which is already quite limited in terms of the care it covers and the percentage of the population who benefits from it.

Why withdrawal is a good option?

- > Withdrawal is a pressure tactic that dentists are using to show their dissatisfaction with the negotiations with the Ministère de la Santé et des Services sociaux (MSSS) concerning the agreement that expired on April 1, 2015.
- > It has now been almost five years since the agreement expired with the RAMQ concerning the public dental plan!
- > This agreement establishes the rates for the oral health care covered by the Régie de l'assurance maladie du Québec (RAMQ). The care provided in private dental offices is free only for children under 10 years of age and beneficiaries of last-resort financial assistance.
- > This agreement also establishes the rates for the covered types of care; these rates differ from those in the *Fee Guide and Description of Dental Treatment Services*.
- > In its most recent proposal, the government specifically refuses to recognize the high operating expenses incurred by dental offices, both in this and future negotiations. Keep in mind that dentists, unlike doctors who practice in the public sector, **cover all the costs involved in the care they provide**, which means that dental offices have particularly high operating costs.
- > To illustrate the impact of this decision: When operating expenses are excluded and inflation is factored in, dentists' personal remuneration **will be nearly 50%** less in 2020 than it was in 2015.



- > Through this collective movement, the ACDQ and the dentists who have withdrawn want to show their dissatisfaction with the attitude taken by the MSSS and make it clear that they reject the exclusion of operating costs from this and all future agreements.
- > This collective movement also serves as a reminder to the government that the oral health care offered to Quebecers will only improve when the government shows a real desire to act and fund it appropriately. The current plan does not cover preventive care for children under 12 years of age who are insured under it and does not reflect current advances in oral health care in terms of the new types of materials and recognized techniques that are now available for use.
- > Finally, it must be mentioned that the public will not pay the price for this pressure tactic. The only consequence for patients is that they have to send the payment claims to the RAMQ themselves and pay their dentists when they receive the cheque.



1. What is the difference between non-participation and withdrawal?

Professionals who have withdrawn¹: Health professionals who have withdrawn practice outside the scope of the health insurance plan, but agree to be compensated in accordance with the rates set out in the agreements; their patients must first claim the amount of the fees from the RAMQ using the Demande de paiement (*professionnel désengagé*)² claim for payment form for professionals who have withdrawn, which must be duly signed by the professionals, and then pay their professionals afterward. According to section 31 of the Health Insurance Act, professionals may not demand or receive a payment from insured persons before they have been reimbursed by the RAMQ. Withdrawal does not apply to emergency care. The RAMQ's website specifies that dentists may invoice the RAMQ directly in cases of emergency.

Non-participating professionals: Non-participating health professionals practice outside the scope of the health insurance plan and are not compensated according to the rates specified in an agreement. They set their own fees, which their patients pay in full. Thus, their patients may not receive any reimbursements from the RAMQ.

2. What steps do I have to take once I have withdrawn?

1. You give patients your notice of withdrawal.
See also question 3: Do I have to notify patients that I have withdrawn?
2. You treat your patients.
3. You fill out, sign and date **form 4448** entitled "Demande de paiement" (in French only).
See also question 5: What do I have to fill out and give to patients after I have treated them?
4. Patients mail the **form 4448** (claim for payment) that you gave them.
5. The RAMQ receives the form and makes the payment directly to the patients.
6. The RAMQ sends a notice to dentists when it has paid their patients.
7. The patients pay their dentists for the treatments they have received.

3. Do I have to notify patients that I have withdrawn?

Yes, the Regulation respecting the application of the Quebec Health Insurance Act (RAHIA) requires you to give your patients, before you treat them, a notice in writing that has been signed by you and dated.

In addition, the ACDQ recommends that you notify patients that you are a professional who has withdrawn when they make an appointment with you.

4. What do I have to give my patients BEFORE I have treated them?

Before treating them, you must give your patients a notice in writing that has been signed by you and dated. The text of the notice is provided in section 25 of the Regulation respecting the application of the Quebec Health Insurance Act (RAHIA).

5. What do I have to fill out and give to patients AFTER I have treated them?

You must fill out and sign the payment claim form (**form 4448**), which lists the treatments that you provided to your patients.

You give the completed **form 4448** to your patients, and they mail it the RAMQ.

1. RAMQ Source: <http://www.ramq.gouv.qc.ca/fr/professionnels/chirurgiens-dentistes/evenements-carriere/adhesion-ramq/Pages/devenir-professionnel-desengage.aspx>

2. RAMQ source: <http://www.ramq.gouv.qc.ca/fr/professionnels/chirurgiens-dentistes/formulaires/inscription-professionnel/Pages/1378.aspx>

6. What should I do when patients require emergency care?

Withdrawal does not apply to emergency care. The RAMQ's website specifies that dentists may invoice the RAMQ directly in cases of emergency.

7. How much time does the RAMQ have to make the payments to patients?

The Health Insurance Act does not specify the payment period. However, the payment period should not exceed 45 days or the RAMQ will have to pay the interest.

Dentists who have received neither a notice of payment nor a notice of refusal to pay within sixty (60) days of the date on which the claim for payment was mailed (**form 4448**) may notify the RAMQ that it has thirty (30) days to pay them or they will take it to court to recover their fees.

8. What can I do if the RAMQ notifies me that it will not pay me?

You can take the RAMQ to court to recover the fees.

When this situation arises due to a problem involving the rate application rules, you can contact our dental consultant.

Otherwise, you can contact our legal service.

9. How will I know if the RAMQ has paid my patients?

The RAMQ sends a notice to dentists informing them that the payment has been made to their patients. See also question 2: *What steps do I have to take once I have withdrawn?*

10. What can I do if my patients do not pay me?

Just like for your overdue accounts, you can take your patients to court to recover your fees. If the amount owed is \$15,000 or less, you must use the small claims division form:

<https://www.justice.gouv.qc.ca/en/your-disputes/small-claims/process-and-help-for-the-applicant/filing-an-application-at-the-small-claims-division-sj-870e>.

11. Can I ask patients to pay me in advance?

No. According to section 32 of the Health Insurance Act: “[A professional who has withdrawn] shall not exact or receive from the insured person any payment of fees for insured services...”.

Anyone who contravenes a provision of this section is guilty of an offence and liable to a fine of \$5,000 to \$50,000 and, in the case of a repeat or subsequent offence, to a fine of \$10,000 to \$100,000.

12. A patient wants to pay me in advance. Can I accept?

No. Section 32 of the Health Insurance Act prohibits this.

Health professionals may not exact or receive from an insured person any payment of fees for insured services that they have provided to an insured person.

Anyone who contravenes a provision of this section is guilty of an offence and liable to a fine of \$5,000 to \$50,000 and, in the case of a repeat or subsequent offence, to a fine of \$10,000 to \$100,000.

13. Does the ACDQ have a model notice that I can send to the RAMQ (if I haven't received a notice of payment within 60 days of issuing my statement of fees)?

Yes, the ACDQ will send you this letter at the appropriate time.