



WITHDRAWAL FROM MEDICARE FREQUENTLY ASKED QUESTIONS

Background

The agreement with the RAMQ expired on March 31, 2015, i.e. over four years ago, and the negotiations are at an impasse. Even though we increased the number of meetings in an attempt to reach a satisfactory proposal for dentists, the government's most recent proposal is ludicrous and disrespectful to the work done by dentists. In fact, it does not recognize the higher operating expenses of your offices and suggests lowering your personal remuneration by 5%.

The government wants to remove any reference to the higher operating expenses of dental offices from the current and future negotiations. It considers the matter closed! This decision has a huge impact: When combined with inflation, it means that your personal remuneration in **2020** will be more than 15% lower than it was in **2015**!

For more details, look at the webcast meeting using [the following link](#). The password is: acdq2019.

I- WHAT IS WITHDRAWAL?

1. Aren't dentists required to participate in the public plan?

On July 26, 2018, the government issued a ministerial order prohibiting dentists from becoming non-participants in the public plan. However, withdrawal is different from non-participation.

2. 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Professionals who have withdrawn¹: Health professionals who have **withdrawn** practice outside the scope of the health insurance plan, but agree to be compensated in accordance with the rates set out in the agreements; their patients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the RAMQ using the ***Demande de paiement (professionnel désengagé)*** claim for payment for a professional who has withdrawn) form, which must be duly signed by the professionals, and then pay the professionals afterward. According to section 31 of the **Health Insurance Act**, professionals may not demand or receive a payment from insured persons before the insureds have been reimbursed by the RAMQ.

Non-participating professionals²: **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. However, non-participating professionals may receive payments from the RAMQ, provided that the payments are not for services that they have provided in emergency situations. To obtain non-participant status, participating professionals must submit a notice of non-participation to the RAMQ.

¹. Source RAMQ: <http://www.ramq.gouv.qc.ca/fr/professionnels/chirurgiens-dentistes/formulaires/inscription-professionnel/Pages/1378.aspx>

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

II- THE STEPS LEADING UP TO WITHDRAWAL

3. What is the first step that I have to take?

To withdraw, you must fill out two copies of [form 1378](#) (in French only), one for your withdrawal and the other for your re-engagement. You must simply:

- fill out, sign, **but do not date** both forms that the ACDQ will send to you;
- mail them back to the **ACDQ**.

When the time is right, the **ACDQ will enter the date** on the withdrawal and re-engagement forms and send them to the RAMQ.

4. Will you notify me when you launch the withdrawal operation so that I can make the appropriate arrangements at my office?

Yes. An official communiqué will be e-mailed to all ACDQ members and posted on our website and Facebook page. Information tools for your personnel and patients will also be distributed at offices.

5. Can I withdraw for some of my patients only?

No. Withdrawal applies to **all your patients who are insured by the RAMQ** and all care insured by the RAMQ.

6. Do all dentists at the same office have to withdraw?

No, but the withdrawal operation requires the participation of the largest number of dentists possible. The success of this operation hinges on the number of paper claims received by the RAMQ.

7. Does my withdrawal automatically take effect as soon as the ACDQ sends my form to the RAMQ?

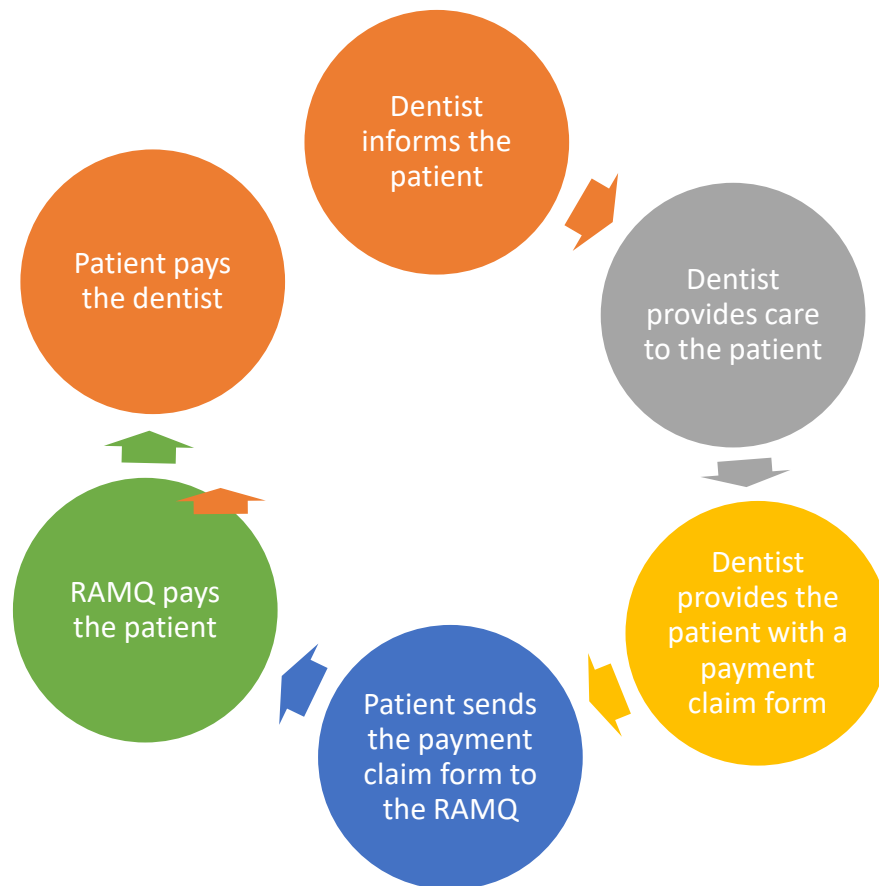
No. Your withdrawal enters into effect on the 30th calendar day after the date on which it is sent by registered mail to the RAMQ.

8. Does my re-engagement automatically take effect as soon as my form is sent?

No. Your re-engagement enters into effect on the 8th calendar day after the date on which it is sent by registered mail to the RAMQ. In the event of re-engagement, the ACDQ will send the RAMQ all re-engagement forms on your behalf. You will be notified by e-mail and social media.

9. What do I do once I have withdrawn?

1. You give your patients a notice of withdrawal. *See also question 10: Do I have to notify patients that I have withdrawn?*
2. You treat your patients.
3. You fill out, sign and date [form 4432](#) entitled “*Demande de paiement*” (in French only). *See also question 12: What do I have to fill out and give to patients after I have treated them?*
4. Patients mail the form 4432 (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 then pay their dentists for the treatments they have received.



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

Yes, the Regulation respecting the application of the 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. The text of the notice is provided in section 25 of the [RAHIA](#).

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

11. 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 Health Insurance Act (RAHIA).

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

You must fill out and sign the claim for payment form [\[form 4432\]](#), which lists the treatments that you have provided to your patients.

You give the completed [form 4432](#) to your patients, and they mail it the RAMQ.

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

In cases of emergency, the RAHIA exempts you from notifying patients before treatment. The RAMQ's website specifies that dentists may invoice the RAMQ directly in cases of emergency.³

14. 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 [\[form 4432\]](#) may notify the RAMQ that it has thirty (30) days to pay them or they will take it to court to recover their fees.

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

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

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

Otherwise, you can contact our legal service.

³ <http://www.ramq.gouv.qc.ca/fr/professionnels/chirurgiens-dentistes/evenements-carriere/adhesion-ramq/Pages/devenir-professionnel-desengage.aspx>

16. 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 9: What do I do once I have withdrawn?

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

You can take the patients to court to recover your fees. If the amount owed is \$15,000 or less, use the small claims division form. [Click here.](#)

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

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

Health professionals may not demand or receive any other compensation than the one set out in the agreement for the insured services that they have provided to insured patients while they have withdrawn.

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.

19. 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 demand or receive any other compensation than the one set out in the agreement for the insured services that they have provided to insured patients while they have withdrawn.

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.

20. 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.