May 18, 2022

Hon. Audrey Gordon
Minister of Health
302 Legislative Building
Winnipeg, MB R3C 0V8

Subject: Proposed amendments to the Claims Information Regulation (Practitioner Record Keeping)

Dear Minister Gordon:

The Canadian Federation of Independent Business (CFIB) represents the interests of 95,000 small businesses across Canada across in every region and sector, including more than 4000 members in Manitoba. Several of our members are physicians, optometrists, chiropractors, and dentists who in addition to being health care professionals are also small business owners. We write today on behalf of those members to express concerns about proposed amendments to the Claims Information Regulation (Practitioner Record Keeping).

The proposed regulation, which outlines over 20 record-keeping requirements, will create a significant red tape burden for many small business owners who are already subject to the robust regulatory requirements of their professional regulatory bodies. It is worth noting that in addition to creating a substantial administrative burden for small business owners, the time required to fulfill the obligations imposed by this regulation will take time away from patients.

According to your department’s Regulatory Accountability Impact Analysis (RAIA), one of the stated goals of this regulatory change is to support effective and efficient claims auditing. While these proposed changes may streamline internal processes for government auditors, that comes at a significant cost to small business owners for whom the changes will do the opposite. While the RAIA estimates that the amendments will come at no financial cost to government, this is unfortunately not the case for the small businesses that will need to comply with these new regulations. The RAIA anticipates that the changes will have “minimal administrative impact on the private practice of medicine, chiropractic, optometry and dentistry;” however, the stakeholders we have spoken with assert that the administrative burden of these changes will in fact be significant.

The proposed regulatory amendments appear to be a step backward in the province’s commitment to reducing the regulatory burden for small businesses in Manitoba. Per the RAIA, there is no indication that these regulations are necessary from a health and safety standpoint. The RAIA makes clear that the
amendments are intended to improve fiscal accountability; however, the Auditor General’s January 2021 report on physician billings was clear that adequate processes exist for physician billing, but the province was not using them effectively. The Auditor did not recommend imposing substantial new documentation requirements on health care providers.

On behalf of the many small business owners in Manitoba who are practicing physicians, optometrists, chiropractors, and dentists, we urge you to reconsider this proposed regulation and implement other solutions that will achieve fiscal accountability (for example, ensuring adequate training).

CFIB has always enjoyed a productive and positive working relationship with your government, and we have particularly appreciated the work of staff in the Regulatory Accountability Secretariat to reduce red tape and its costs for small businesses in Manitoba. We would welcome the opportunity to meet with you to further discuss the proposed regulation and its impacts. You and your staff can reach us via email at kathleen.cook@cfib.ca or by phone at 431-388-2395.

Sincerely,

Laura Jones
Executive Vice-President & Chief Strategic Officer

Kathleen Cook
Director of Provincial Affairs, Manitoba

cc.  Hon. Cameron Friesen, Minister of Finance
    Hon. Kelvin Goertzen, Minister of Justice
    Karen Herd, Deputy Minister of Health