

Copy of letter sent to Medical Insurers by Revenue in May 2012

Re: Payments in respect of Professional Services by certain persons.

Dear Sir/Madam,

As you are aware, the Taxes Consolidation Act (TCA) 1997 places an obligation on Authorised Insurers to make payments where a claim is made to the Insurer, in respect of medical expenses incurred, under a contract of insurance. This obligation facilitates a Health Insurer in the deduction of withholding tax.

The legislation involved is Sec 522 (a) TCA 1997 and it states that the Insurer shall discharge the claim by making payment to the practitioner who provided the professional services to the subscriber.

A practitioner is defined in Sec 469 TCA 1997 as a person who is registered in accordance with Sec 43 of Medical Practitioners Act 2007.

As can be seen from the attached link, Sec 43 (2) Medical Practitioners Act 2007 states that the register of medical practitioners shall contain the names of the practitioners and their qualifications.

43. Register. [./2007/en/act/pub/0025/sec0043.html](http://www.irishstatutebook.ie/2007/en/act/pub/0025/sec0043.html)

It is clear that it is the individuals who are to receive payment - not companies.

It has come to my attention that some practitioners have formed companies and have contacted the Authorised Insurer, quoting the individual practitioners name and PPS number and seeking that the Insurer update certain records in relation to the payments for professional services. In some instances, the company has asked for the PPS number to be replaced by a new Tax reference number (which is the tax number of the company).

This practice is incorrect. Under Sec 522 (a) TCA 1997 the Insurer may make payment only to a medical practitioner and therefore the only tax number to be quoted is the individual practitioners own PPS number.

I am now requesting that you review your records to determine whether you have received any such requests since 1/1/2009. I would be obliged if you would confirm that this review has been carried out and if you would let me have full details of all such instances discovered by your review. In addition, please outline what procedures are in place to recognise and prevent this happening for new registrations in respect of Professional Services going forward.

A PPS number quoted by an applicant for registration should be supported by some official documentation from Revenue or Department of Social Protection.

Please let me have your response by 15.6.2012

Yours faithfully,