



David Cullinane, T.D.
Dáil Éireann,
Leinster House,
Kildare Street,
Dublin 2.

1st December 2021

PQ: 55973/21

To ask the Minister for Health the number of instances of fraud which have been reported, found, or otherwise that have come to the attention of his Department relating to the dental treatment services scheme, GMS and other such contracts in tabular form; the number of investigations into such; the number of repayments made following such investigations; the value of same; the number of prosecutions sought following such investigations or allegations; the number of cases which his Department decided not to pursue legal action; the reason for each instance; and if he will make a statement on the matter. -David Cullinane

Dear Deputy Cullinane,

The Health Service Executive has been requested to reply directly to you in the context of the above Parliamentary Question (Reference 55973/21), which you submitted to the Minister for Health for response.

The HSE Primary Care Reimbursement Service (PCRS) has a legal responsibility to ensure that resources are used for the purpose for which they are intended and is obliged to verify the reasonableness and accuracy of claims submitted for payment.

The PCRS has a system of controls and validations designed to ensure claims are reasonable and accurate and to prevent or reduce inappropriate claims.

Post claims submission, the PCRS examines claims and patterns of claims to identify any unusual claiming patterns.

Where potential issues of concern arise, the PCRS investigates same and prepares reports for examination by the HSE Probity Governance Group.

In the course of investigations, additional information can be received which addresses initial concerns which may have arisen.

The role of the HSE Probity Governance Group is to make recommendations in relation to appropriate HSE action on cases and issues identified (as per relevant contractual terms) and also where required to make recommendations in relation to referrals to An Garda Síochána (AGS) and / or relevant Professional Regulators.

Since 2016 the PCRS has concluded 83 investigation reports for the disciplinary process under primary care contracts. These reports were in respect of potentially invalid claiming under contract by 72 contractors as set out below.

Following on from these investigations 27 complaints (20 contractors) have been made to An Garda Síochána (AGS) where there was evidence of potentially fraudulent claiming.

PCRS Investigation Reports into Primary Care Contracts 2016 – November 2021

	Contracts			Total
	GP (GMS)	Dental (DTSS)	Pharmacy	
Contracts Investigated	10 (10)	40 (40)	33 (22)	83 (72)
Contracts Referred to AGS	6 (6)	2 (2)	19 (12)	27 (20)

The number of contractors is highlighted in brackets in red.

The outcome of those referrals is as follows:

- In the case of 5 pharmacy contracts referred (one pharmacy owner), there was a prosecution where the pharmacy contractor entered a guilty plea.
- Two pharmacy cases were discontinued as it was determined that the circumstances did not constitute potential fraud.
- During the period 2016 to 2021 a case referred to AGS prior to 2016 resulted in a custodial sentence for the contractor involved.
- The PCRS Probity Team is working on an ongoing basis with AGS in respect of the other referrals.

The HSE has received significant support from An Garda Síochána both nationally and locally, and in particular from the Garda National Economic Crime Bureau, in progressing cases where concerns around potentially fraudulent claiming have arisen.

Since 2016, €21.4 million has been or is being recouped in respect of invalid claiming. This includes an amount of €1.6 million in respect of 14 contracts (7 contractors) where referrals were made to AGS.

Glossary:

AGS = An Garda Síochána

DTSS = Dental Treatment Services Scheme

GP = General Practitioner

GMS = General Medical Services (Medical Card)

PCRS = Primary Care Reimbursement Service

Yours sincerely,



Suzanne Doyle

Primary Care Eligibility & Reimbursement Service