



**PERSEKUTUAN PERSATUAN DOKTOR PERUBATAN SWASTA MALAYSIA
FEDERATION OF PRIVATE MEDICAL PRACTITIONERS' ASSOCIATIONS, MALAYSIA**

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11th February 2017

Y Bhg Datuk Dr Chen Chaw Min
Ketua Setiausaha
Pejabat Ketua Setiausaha
Kementerian Kesihatan Malaysia
Aras 12, Blok E7, Kompleks E
Pusat Pentadbiran Kerajaan Persekutuan
62590 Putrajaya

Dear Y Bhg Datuk Dr Chen

The Federation of Private Medical Practitioners' Associations, Malaysia (FPMPAM) is the national body representing doctors in private practice in Malaysia. The FPMPAM is committed to improve the quality of private health care through continuing medical education, continuing professional development of its members, ethics advocacy and public outreach programs. Founded in 1989, it consists of seven state-level associations and has over 5000 members.

The FPMPAM had earlier received complaints from our member representatives that FOMEMA had unilaterally nullified the previous agreement and had mandated a New Agreement together with new Standard Operating Procedures (SOP) and requirements for all currently registered FOMEMA GP providers.

FOMEMA had earlier imposed a registration fee of RM255.00 (exclusive 6% of GST), and an additional payment of RM270.30 as administrative fee on the very same doctors who have been part of FOMEMA panel for many years. Failure to pay would have resulted in their removal from the FOMEMA panel.

We are now pleased to hear that this payment requirement has been rescinded.

It must be pointed out that in 1992 when FOMEMA was formed, it was meant merely to be the foreign worker health screening monitoring agency for the Government / Ministry of Health and all registered GP medical practitioners were eligible to be on the panel. Today it is a commercial entity, last transacted for hundreds of millions of ringgit. Over the years, the billions of ringgit earned by FOMEMA have been possible from the dedicated professional service of the doctors in the provision of medical screening, a designated service under the PHFSA.

Any new agreement should not impose unreasonable constraints on the panel of GP providers or significantly increase the cost of provision of the service without compensatory increase in the fees for the doctors. Any cost of new SOP requirements including of equipment and provision of compulsory CME programs should be borne by FOMEMA to be paid from their massive profits.

We also note there are many new clauses in the agreement that have the effect of dissuading existing GPs to continue on the panel of providers.

The FPMPAM is deeply concerned that the eventual net effect will result in the rise of a cartel for this service to a select group of preferred providers which is a total contradiction to the original position of the Ministry of Health in 1992 and in breach of specific provisions of the Competition Act 2010.



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We are equally concerned that the new agreement allows for powers from the FOMEMA Inspectorate to enter and inspect clinic records without due notice. We can find no provision in the PHFSA or the amended Medical Act that allows for clinic premises, medical practice and doctors' records to be inspected by a third party, more so if it is a commercial entity .

The new agreement repeatedly refers to SOPs by the MOH for which the doctors have no details of. We would like to know which provision of the relevant laws allows SOPs of the MOH to be enforced by FOMEMA in this matter. The legal jurisdiction of the FOMEMA Inspectorate need to be clearly defined.

We humbly request for a comprehensive review of this new agreement by Bahagian Amalan of the MOH and the Malaysian Medical Council with regards to compliance implications with the PHFSA and the MMC Code of Professional Conduct and other regulatory agencies including the Malaysian Competition Commission.

We are informed that at a meeting between your good-self, the UKAS and the MMA on 20th May 2016, a promise was made that stakeholders would be invited for a meeting after the FOMEMA concession is signed in order to sort out grievances of the GPs. We understand that the new concessionaire agreement was signed in December 2016. We are informed that a meeting have been set for 22nd February 2017 and the FPMPAM, as a relevant stakeholder, should be present to provide our feedback.

We state that we fully support the earlier initiatives of the MMA, the PERDIM and the MPCAM with regards to the resolution of the issues that have arisen.

Thank you very much.

We await your kind response.

Yours sincerely

Dr Steven Chow Kim Weng
President

Federation of Private Medical Practitioners' Associations, Malaysia (FPMPAM)

c.c.

- 1 Dr John Chew Chee Ming, President, Malaysian Medical Association (MMA)
- 2 Dato' Dr Ahmad Shukri b Haji Ismail, President, Persatuan Doktor-Doktor Islam Malaysia (PERDIM)
- 3 Dr Peter Chan, President, Medical Practitioners' Coalition Association of Malaysia (MPCAM)