

**INCOME STABILITY PROGRAM FOR FEE FOR SERVICE (FFS)
PHYSICIANS DURING COVID-19 PANDEMIC**

PHYSICIAN DECLARATION

PHYSICIAN INFORMATION

| | |
|----------------------------------------------------------|--|
| Name of Physician: (first, middle and surname) | |
| MSI Billing Number: | |
| CPSNS License Number: | |
| Primary Practice Location: | |
| Email Address: | |

FINANCIAL INFORMATION

As the default, payments will be made to the bank account where MSI deposits CMPA rebates and incentive payments.

PROGRAM INFORMATION AND PHYSICIAN DECLARATION

I declare that I have read and understand and agree to be bound by the attached Program Terms for the Income Stability Program for Fee for Service (FFS) Physicians.

I understand that participation in the Program is voluntary and by signing this declaration, I am indicating my wish to participate.

I understand that my name will be added to a roster of physicians available for deployment by the health authorities or the Department of Health and Wellness in response to the COVID-19 pandemic.

I understand that while deployed, I may be called upon to do a variety of tasks in the hospitals, in assessment centres, in long-term care centres or in other locations as needed, as safe and appropriate for my training. I understand that deployment work may be beyond regular business hours and beyond my regular scope of practice as long as it is within the scope of my license and competencies. I understand that I may be required to travel for purposes of deployment.

I understand that for any time that I am not deployed, I am required to continue to provide all my normal office- or hospital-based services (in person or virtually) that I am able to provide within the context of the pandemic environment.

Completed & Signed Declaration should be Mailed or E-Mailed to:

Mailing Address: MSI, PO Box 500, Halifax, NS B3J 2S1

Email: msiproviders@medavie.ca

Fax: 902-469-4674

*If you have any questions or require assistance completing this form, please contact MSI at:

Telephone: Local 902-496-7011; toll-free 1-866-553-0585(option 1/option 1)

Email: msiproviders@medavie.ca

Income Stability Program for Fee for Service (FFS) Physicians

Program Terms

ELIGIBILITY

1. All fee-for-service (FFS) physicians are eligible to participate in the program, provided:
 - a) The physician is a legally qualified medical practitioner listed and licensed as such by the College of Physicians and Surgeons of Nova Scotia (College) and continues to be in good standing under the *Medical Act*; and
 - b) More than 20% of the physician's total income for insured medical services was generated through MSI FFS billings in 2019 and continuing into the pandemic period.

PHYSICIAN COMMITMENTS

2. Physicians sign a declaration to participate in the roster of physicians for deployment in the health-care system during the pandemic. Deployment may be as directed by the Nova Scotia Health Authority (NSHA), the IWK Health Centre (IWK) (collectively the health authorities), or the Minister of Health and Wellness (Minister).
3. When a physician is not deployed, the physician is required to continue to provide all their normal office- or hospital-based services (in person or virtually) that they are able to provide within the context of the pandemic.
4. Physicians participating in the Program are engaged for the performance of services as independent contractors and are not employees, servants or agents of a health authority or the Minister.
5. Upon request by the Minister, physicians commit to report to the Minister any financial support or assistance received by the physician in connection with the COVID-19 pandemic, including from the Government of Canada, the Government of Nova Scotia, and any insurance company or other entity. Physicians also consent to the disclosure of related information by each applicable entity.

DEPLOYMENT

6. While deployed, physicians may be called upon to do a variety of tasks in the hospitals, in assessment centres, in long-term care centres or in other locations as needed. Deployment work may be beyond regular business hours and may be beyond a physician's regular scope of practice as long as it is within the scope of a physician's license and competencies.
7. A physician may be required to travel for purposes of deployment. During a deployment the physician may claim travel expenses in accordance with the Locum Incentive program guidelines.
8. When deploying physicians, the health authority or Minister will make reasonable efforts to accommodate limitations on the Physician's availability for deployment, including those arising from the physician's regular hours of work, extraordinary personal commitments, or extraordinary vulnerability to COVID-19 disease.

9. A physician may refuse a deployment request only in one of the following circumstances:
 - a) the work is outside the physician's individual competence or contrary to the physician's license or any restrictions or conditions imposed by the College; or
 - b) a lack of PPE results in an extraordinary risk to the physician; or
 - c) the deployment would require the physician to breach public health orders (e.g. a requirement to self-isolate); or
 - d) the deployment would require the physician to travel greater than 120 kilometres one-way, and such travel would result in undue hardship to the physician (as determined by the Department).
10. If a physician refuses a deployment request, the physician must:
 - a) Give notice in writing to the health authority and to the Minister outlining the reason for the refusal (and provide any further information or supporting information requested by the health authority and/or Minister); and
 - b) Remain available for other deployment as needed.

COMPENSATION

11. **Base Income:** While participating in the program, physicians can choose between two fixed bi-weekly base income options:

Option 1: "80% OF EARNINGS" – 80% of a physician's total MSI FFS billings during the 2019 calendar year (January 1 to December 31, 2019), multiplied by $\frac{14}{365}$, to a maximum of \$23,014 bi-weekly.

OR

Option 2: "\$260k APP" – The total of a physician's MSI FFS billings during the 2019 calendar year (January 1 to December 31, 2019), multiplied by $\frac{14}{365}$, to a maximum of \$9,973 bi-weekly. At its maximum, this will equate to a fixed income of \$260k on an annualized basis.

If a physician has either increased or decreased their regular work hours since 2019, the base income will be adjusted accordingly (e.g., if a physician has gone from full-time to part-time, or vice versa).

12. **Deployment Compensation:** When physicians are deployed to COVID-19 deployment work as required by the NSHA, IWK or the Minister, the deployment work is paid in addition to the base income, and at the following rates for all physicians, regardless of specialty:
 - a) Deployment to sites with established hourly or shift rates (such as inpatient units, emergency departments, intensive care units, etc.) will be paid at the established rate.
 - b) Deployment to COVID-19 work without an established rate (such as Assessment Centres, Access Clinics, COVID-19 inpatient units, 811 support, etc.) will be paid at a COVID sessional rate of \$180.60 per hour.

13. **Maximum Compensation:** The maximum payable to any physician under this program is \$600,000 annually (prorated), inclusive of the base income and deployment compensation.
14. **Calculation of 2019 MSI FFS Billings:** MSI FFS billings will include all of a physician's billings to the MSI program for codes in the MSI tariff of fees for insured medical services, excluding billings in respect of:
 - a) The unattached patient bonus,
 - b) Workers' Compensation,
 - c) Inpatient care billings (if the physician is a core team member of an approved Community Hospital Inpatient Program (CHIP) site), and
 - d) Primary Maternity Care (PMC) billings if the physician is a core team member of a PMC service.
15. **Shadow Billing:** Physicians are required to shadow bill for all regular office or hospital-based services delivered within their practice while participating in the program. Shadow billings remain subject to billing rules and billing audit provisions.
16. **Additional Payments:** Physicians participating in the Program accept the base income and deployment compensation as full compensation for any and all insured services provided by the physician while participating in the program. Physicians will remain eligible to receive other payments that are typically payable in addition to a physician's fee-for-service claims, including:
 - a) Master Agreement incentive programs;
 - b) Leadership/administrative stipends;
 - c) Pathology List B payments;
 - d) Facility on-call stipends;
 - e) Workers' compensation billings; and
 - f) Payment under other programs or funding models for which the physician is eligible (including the Primary Maternity Care (PMC) Program, the Community Hospital Inpatient Program (CHIP), payment for Emergency Department or Hospitalist shifts, part-time APP or C/AFP entitlements, etc.).
17. **On-Call Stipends:** Physicians will receive any daily on-call stipend to which the physician is entitled either as part of his/her regular practice or as part of a deployment. Physicians can receive only one call stipend for the same time period. Physicians will not be entitled to bill FFS for any services delivered while on-call except as permitted under the CHIP and PMC programs.
18. **Leave of Absence During Program:** A physician participating in this program may take a short leave of absence from practice during the pandemic, if approved in writing in advance by the Minister in order to ensure effective resource planning. Otherwise the physician must remain in NS (except as authorized to leave for work required by the health authority or the Department or for those who regularly commute to work in NS from NB). Payments under the program will continue for the duration of any approved leave. Payments under the program will be suspended for any extended leave of

absence, such as for parental leave, or for any period of mandatory self-isolation following a return from travel.

19. **New Physicians:** Physicians who commenced practice in Nova Scotia after 1 January 2020 will be eligible for a base income of \$9,973 bi-weekly, based on a full-time practice, plus deployment compensation as outlined above. That amount will be pro-rated for part-time physicians.
20. **Repayment:** Physicians may be required to repay amounts paid under the program, such as where the physician has billed fee-for-service after 13 March 2020, where the physician does not maintain regular practice to the extent possible, or refuses a deployment except as permitted, or where the physician's 2019 billings are adjusted after an audit.

PAYMENT ADJUSTMENTS POST-PANDEMIC

21. **Billings in Excess of Base Income or Maximum:** Physicians will shadow bill for all services delivered within their regular practice while participating in the program. If a physician shadow bills for non-deployment work more than their base income (Option 1 or Option 2), the physician will be paid the difference. This will be calculated and paid following termination of the program.
22. **Adjustments to 2019 MSI FFS Billings:** MSI FFS billings for the 2019 calendar year will be adjusted to reflect increases to FFS billings under the 2019 Master Agreement. A physician's 2019 MSI FFS billings will be adjusted to reflect any audit results of the physician's 2019 billings. This will be calculated and paid following termination of the program.
23. **Retroactive Payment from March 13, 2020:** All retroactive payments owing under the program (base income for the period of March 13, 2020 to the first bi-weekly pay period of the program) will be calculated and paid following termination of the program.
24. **Extended Leaves of Absence in 2019:** If a physician's 2019 MSI FFS billings were affected by any period of absence from work for six consecutive weeks or greater, the physician's 2019 billings will be calculated using the average monthly billings during the period in 2019 unaffected by the absence. If this calculation results in a potentially inaccurate reflection of a physician's 2020 earning potential, in the opinion of either the physician or Minister, the matter will be considered on a case-by-case basis and the physician's base income may be adjusted.

EFFECTIVE DATE AND TERMINATION

25. The program is effective March 13, 2020.
26. The program will wind down at the conclusion of the pandemic as determined by government, at which point the bi-weekly payments for base compensation will end and physicians will return to their regular practices on a FFS basis.

27. The Minister may terminate a physician's participation in the program in advance of the wind down as described in clause 25 at any time by providing written notice to the physician, including for any breach of the Program Terms or if a physician's deployment is terminated by a health authority for a justifiable reason as determined by the health authority.
28. A physician may terminate their participation in the program after July 1, 2020, by providing written notice to the Minister at least two weeks in advance.

CONTRACT BETWEEN DNS AND THE MINISTER

29. Program terms have been determined in a contract between DNS and the Minister. If there is any conflict or inconsistency between these Program Terms and that signed contract, the terms of the contract will prevail.