

## Letters to the Editor

RBCCV 44205-788

### Open letter to the President of the BSCVS

Natal, 28<sup>th</sup> November, 2005

Dear Alexandre Brick  
President of the BSCVS

Through this letter I would like to inform you, as well as the Council for the Protection of the Societies Professionals and other members of our distinguished society, what has been happening with the cardiovascular surgery specialty in Natal, State of Rio Grande do Norte, Brazil.

The Municipal Health Department of Natal, under the decree N° 160/2005-GS dated 31<sup>st</sup> August, 2005, determined that the code 'AIH07' can not be used for hospital production, forcing hospitals to receive payments for health services and then paying the self-employed professionals who performed the procedure. This code relates to the deduction of 11% of social security tax at source. Thus, government administrators are exonerated from the payment of social security taxes (20%), which are of the responsibility of the government administrators and penalize professionals once again with excessive taxation. The attitude of city administrators, in an attempt not to fulfil their constitutional obligations, contravenes the federal decree N° 510 from 30<sup>th</sup> September 2005. This decree states, in article 2.1, that "all deductions including taxes and other contributions are the responsibility of the financial departments of the states, Federal District and Municipals". This latter case is the case of Natal.

This municipal decree prejudices the freedom of doctors to do their work. The medical ethics code and the Federal Medical Council determine that it is up to doctors to negotiate with institutions in respect to their autonomy and their payments. They also determine that no regimen, statutory or administrative device can interfere in the decision of the doctors to negotiate in reference to carrying out their services and to receive their honoraria. Hence, contrary to the determinations of the Federal Medical Council and determining our unilateral exclusion from the System

by the decree 160/2005 of the Municipal of Natal, we find it impossible to continue to attend Government Health Plan patients. And so, the Municipal Council passed the responsibility of the chaos that it caused to doctors and declared a state of emergency in the municipality on 25<sup>th</sup> November 2005. They are attempting to contract professionals from other cities or regions to work in our hospitals.

Thus, I respectfully request that this eminent society and its directorate and members of the Council for the Protection of Professionals based on our statute should defend the regions and members in a work-related litigation so that the law is complied.

Sincerely

**Marcelo Matos Cascudo, Natal, RN**  
**Member of the Deliberative Council of the BSCVS**

We confirm the receipt of the letter sent by Dr. Marcelo Matos Cascudo, reporting on the dispute involving cardiovascular surgeons of Natal and the city office of that municipal.

The directorate of the BSCVS, together with the Council for the Protection of Professionals will take all necessary steps. However, we need further information on how the payments are currently being made throughout the country.

Thus, we request that all members of the BSCVS send us information, as fast as possible, to the e-mail address meryt@sbccv.org.br so that we can prepare a document and act in respect to this situation.

**Doctor Alexandre Visconti Brick**  
**President - BSCVS**