

**Administering Department:**

Please include this copy with documents sent to
Federal Executive Council Secretariat in connection
with the making of this legislation.

ExCo Secretariat:

Please complete this copy by inserting signatures, date of
making and instrument no. and send to:

Legislative Services and Publication Unit
Office of Legislative Drafting
Attorney-General's Department



Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2003 (No. 3)¹

Statutory Rules 2003 No. $\frac{1}{2}$

358

I, PHILIP MICHAEL JEFFERY, Governor-General of the
Commonwealth of Australia, acting with the advice of the
Federal Executive Council, make the following Regulations
under the *Health Insurance Act 1973*.

Dated 18 DEC 2003 2003

PM Jeffery
Governor-General

By His Excellency's Command

TONY ABBOTT
Minister for Health and Ageing

1 Name of Regulations

These Regulations are the *Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2003 (No. 1)*.

3

2 Commencement

These Regulations commence on 1 February 2004.

3 Amendment of *Health Insurance (Diagnostic Imaging Services Table) Regulations 2003*

Schedule 1 amends the *Health Insurance (Diagnostic Imaging Services Table) Regulations 2003*.

Schedule 1 Amendments

(regulation 3)

[1] Schedule 1, Part 2, after subrule 29 (2)

insert

(3) This rule does not apply to the fee specified in item 64990.

[2] Schedule 1, Part 2, after subrule 30 (8)

insert

(8A) This rule does not apply to the fee specified in item 64990.

[3] **Schedule 1, Part 2, after rule 39**

insert

40 Application of item 64990

- (1) If item 64990 applies to a diagnostic imaging service, the fee specified in that item applies in addition to the fee specified in any other item in the table that applies to the service.
- (2) For item 64990:
- bulk-billed***, in relation to a diagnostic imaging service, means:
- (a) a medicare benefit is payable to a person in respect of the service; and
- (b) under an agreement entered into under section 20A of the Act:
- (i) the person assigns to the medical practitioner by whom, or on whose behalf, the service is provided, his or her right to the payment of the medicare benefit; and
- (ii) the medical practitioner accepts the assignment in full payment of his or her fee for the service provided.

Commonwealth concession card holder means a person who is a concessional beneficiary within the meaning given by subsection 84 (1) of the *National Health Act 1953*.

unreferred service means a diagnostic imaging service that:

- (a) is provided to a person by, or on behalf of, a medical practitioner, being a medical practitioner who is not a consultant physician, or specialist, in any speciality (other than a medical practitioner who is, for the purposes of the Act, both a general practitioner and a consultant physician, or specialist, in a particular speciality); and
- (b) has not been referred to the medical practitioner by another medical practitioner or person with referring rights.

[4] Schedule 1, Part 3, after item 63946*insert***Group I6 — Management of bulk-billed services**

64990	A diagnostic imaging service to which an item in this table (other than this item) applies if:	5.85
	(a) the service is an unreferred service; and	
	(b) the service is provided to a person who is under the age of 16 or is a Commonwealth concession card holder; and	
	(c) the person is not an admitted patient of a hospital or day-hospital facility; and	
	(d) the service is bulk-billed in respect of the fees for:	
	(i) this item; and	
	(ii) the other item in this table applying to the service	

Notes

1. These Regulations amend Statutory Rules 2003 No. 268.
2. Notified in the *Commonwealth of Australia Gazette* on *L* 2003. *23 December*