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Health Insurance (Pathology Services Table) Amendment Regulations 2003 (No. 4)¹

Statutory Rules 2003 No. 4²

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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 (Pathology Services Table) Amendment Regulations 2003 (No. 4)*.

4

2 Commencement

These Regulations commence on 1 February 2004.

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

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

Schedule 1 Amendments

(regulation 3)

[1] Schedule 1, Part 2, after subrule 2 (3)

insert

Application of item 74990

- (4) Despite subrules (1), (2) and (3), if item 74990 applies to a pathology 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.

- (5) For item 74990:

bulk-billed, in relation to a pathology 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 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 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 pathology 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.

[2] Schedule 1, Part 2, after paragraph 3 (2) (a)

insert

- (ab) that item is not item 74990; and

[3] Schedule 1, Part 2, subrule 18 (1), definition of set of pathology services, subparagraph (d) (ii)

substitute

- (ii) in an item in Group P10 (Patient episode initiation), Group P11 (Specimen referred) or Group P12 (Management of bulk-billed services).

[4] Schedule 1, Part 3, after item 73921*insert***Group P12 — Management of bulk-billed services**

- | | | |
|-------|---|------|
| 74990 | A pathology service to which an item in this table (other than this item) applies if: | 5.85 |
|-------|---|------|
- (a) the service is an unreferral 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. 256, as amended by 2003 Nos. 295 and 300.
2. Notified in the *Commonwealth of Australia Gazette* on / 2003. 23 December