

**Health Insurance (Statutory Rules 1992 Nos. 95 and 119) (Repeal) 1992 No. 120**

**EXPLANATORY STATEMENT**

**STATUTORY RULES 1992 No. 120**

Issued by the authority of the Minister for Health, Housing and Community Services.

Health Insurance Act 1973

Health Insurance (Statutory Rules 1992 Nos. 95 and 119) (Repeal).

Section 133 of the Health Insurance Act 1973 (the Act) provides that the Governor-General may make regulations for the purposes of the Act.

Section 4AA of the Act provides that regulations may prescribe a table of diagnostic imaging services. The Health Insurance (Diagnostic Imaging Services Table) Regulations prescribe such a table.

Section 9 of the Act provides that, in effect, Medicare benefits shall be calculated by reference to the fees for diagnostic imaging services set out in the table of diagnostic imaging services (the table) in the Schedule to the Act.

The Repeal regulations repeal Statutory Rules 1992 Nos. 95 and 119 which were due to come into operation from 1 May 1992. Statutory Rules 1992 No. 95 provided for a new item structure for Diagnostic Radiology when rendered at a "CP" (comprehensive practice), "OP" (other practice) or "NS" (non-specialist radiologist practice). In addition, certain items in the Diagnostic Imaging Services Table, identified with the symbol "(A)", required the attendance of a specialist radiologist for eligibility for Medicare benefits. Exemptions from compliance with the requirements were also provided for. Statutory Rules 1992 No. 119 extended the exemptions, for mammography items, when rendered in certain breast clinics.

These regulations arise following the presentation of the report of the Standing Committee on Community Affairs to the Senate on 28 April 1992, recommending, among other things, that:

"1. The Health Insurance (1991-1992 Diagnostic Imaging Services Table) Regulations (Amendment) be disallowed at this stage, and that, to avoid any difficulties arising from the fact that the commencement date for the Regulations is 1 May 1992, the Minister be asked to repeal the Regulations."

The effect of the Repeal regulations is that the proposed restructure will not be implemented and that the current regulations (that have applied from 1 December 1991) will continue unchanged.