Australian Government

Military Rehabilitation and Compensation Act 2004

MRCA Pharmaceutical Benefits Scheme (Under Co-payment Data Collection) Determination 2012

Instrument No. M20/2012

I, Warren Snowdon, Minister for Veterans’ Affairs, pursuant to subsection 286(3) of the Military Rehabilitation and Compensation Act 2004, approve this instrument made by the Military Rehabilitation and Compensation Commission.

Dated this 30th day of March 2012
Warren Snowdon

WARREN SNOWDON

The Military Rehabilitation and Compensation Commission, by its delegates, pursuant to subsection 286(2) of the Military Rehabilitation and Compensation Act 2004, varies the MRCA Pharmaceutical Benefits Scheme (Determination No.M22 of 2004) in accordance with the Schedule.

Dated this 29th day of March 2012
The Seal of the
Military Rehabilitation )
and Compensation Commission )SEAL
was affixed hereto in the )
presence of: )
Ian Campbell Shane Carmody

IAN CAMPBELL
PSM
CHAIR and DELEGATE

SHANE CARMODY
MEMBER and DELEGATE

Federal Register of Legislative Instruments F2012L00743
[1] Name of Determination

This determination is the MRCA Pharmaceutical Benefits Scheme (Under Co-payment Data Collection) Determination 2012.

[2] Commencement

This determination commences on 1 April 2012.
Schedule

1. **Paragraph 3**

   *insert:*

   *approved supplier* has the meaning given in Part VII of the *National Health Act 1953*.

   *Secretary* has the meaning given in Part 1 of the *National Health Act 1953*. 

2. **Part 5A**

   *after this Part, insert:*

   **Part 5B — Under Co-payment Data Collection**

   40A. Giving information

   (1) A *Community Pharmacist* who gives information to the *Secretary* in relation to the supply, under the *Scheme*, of a *Pharmaceutical benefit* by the pharmacist to an *Eligible Person*, is taken to have given that information under, and for the purposes of, the *Scheme*, provided that:

   (a) no claim for payment is made by the *Community Pharmacist* on the *Commission* or *Department* for dispensing the *Pharmaceutical benefit*; and

   (b) the dispensing price of the *pharmaceutical benefit* is less than, or equal to, the *co-payment* that would have been paid by the *Eligible Person* for the *pharmaceutical benefit* if it had been dispensed at a price for which a *co-payment* is payable; and

   (c) the information is given in accordance with the requirements, to the extent applicable, that apply under section 98C of the *National Health Act 1953* to an *approved supplier* giving information to the *Secretary* in relation to the supply to a person of a pharmaceutical
benefit, as if references in section 98C to an approved supplier and a pharmaceutical benefit are references to, respectively, a Community Pharmacist and a Pharmaceutical benefit and the pharmaceutical benefit has been supplied under the Scheme.

Note: a Community Pharmacist includes an Approved Hospital Authority.