I, Warren Snowdon, Minister for Veterans’ Affairs, pursuant to subsection 16(7) of the *Australian Participants in British Nuclear Tests (Treatment) Act 2006*, approve this instrument made by the Repatriation Commission.

Dated this 26th day of November 2012

Warren Snowdon

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WARREN SNOWDON

The Repatriation Commission, pursuant to subsection 16(6) of the *Australian Participants in British Nuclear Tests (Treatment) Act 2006*, varies the *Treatment Principles (Australian Participants in British Nuclear Tests) 2006* (Instrument No.R30 of 2006), in accordance with the Schedule.

Dated this 2nd day of Nov. 2012

Ian Campbell Shane Carmody

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IAN CAMPBELL
PSM
PRESIDENT

SHANE CARMODY
DEPUTY PRESIDENT

Federal Register of Legislative Instruments F2012L02321
[1] **Name of Instrument**

This instrument is the *Treatment Principles (Australian Participants in British Nuclear Tests) 2006 (Removal of Prior Approval/New Dental Providers) Instrument 2012.*

[2] **Commencement**

This instrument commences, or is taken to have commenced, on 31 August 2012.
SCHEDULE

Note: The amendments made by this Schedule are to the provisions of the modified Treatment Principles as set out in Schedule A to the Treatment Principles (Australian Participants in British Nuclear Tests) 2006.

1. Paragraph 1.4.1

insert:

“**dental hygienist**” means a person registered under the *National Law* that provides for the registration of dental practitioners but does not include a person:

(a) whose registration to practise as a *dental hygienist* has been suspended, or cancelled, following an inquiry relating to his or her conduct; and

(b) who has not, after that suspension or cancellation, again been authorised to practise as a *dental hygienist*.

“**dental therapist**” means a person registered under the *National Law* that provides for the registration of dental practitioners but does not include a person:

(a) whose registration to practise as a *dental therapist* has been suspended, or cancelled, following an inquiry relating to his or her conduct; and

(b) who has not, after that suspension or cancellation, again been authorised to practise as a *dental therapist*.

“**National Law**” means a law of the Commonwealth, a State, or Territory, enacted pursuant to the Intergovernmental Agreement for a National Registration and Accreditation Scheme for the Health Professions made on 26 March 2008:


“**Notes for Providers**” means a *DVA document* approved by the Secretary to the *Department*, or by the *Commission* or a member thereof, with the
word ‘Notes’ in its title, and in force on the date in Schedule 1, that sets
out the terms on which, and the conditions subject to which, a health
care provider is to provide treatment to an entitled person in order for
the Commission to accept financial responsibility for that treatment.

“oral health therapist” means a person registered under the National
Law that provides for the registration of dental practitioners but does
not include a person:

(a) whose registration to practice as an oral health therapist has been
suspended, or cancelled, following an inquiry relating to his or her
conduct: and

(b) who has not, after that suspension or cancellation, again been
authorised to practice as an oral health therapist.

Note: oral health therapists are practitioners who are dually qualified as dental therapists and dental
hygienists.

2. Paragraph 3.2.1(a)

omit.

3. Paragraph 3.2.1(f)(the Note)

omit:

paragraph 9.1.8

substitute:

paragraph 9.1.9

4. Paragraph 3.2.1(n)

omit:

in Part 5

substitute:

in Part 5 or in a DVA document incorporated into the Principles
5. Paragraphs 3.2.1(u) and (v)

*omit.*

6. Paragraph 3.2.1(z)

*substitute:*

(z) psychiatric inpatient care or psychiatric day patient program care;

(za) treatment specified in any *Notes for Providers* (however described) and in any *Fee Schedule* as requiring *prior approval*.

7. Paragraphs 3.3.2(c) and (d)

*omit:*

in Part 5

*substitute:*

in Part 5 or in a *DVA document* incorporated into the *Principles*

8. Paragraph 3.3.2(o)

*omit:*

, except where otherwise indicated in principle 7.7

9. Paragraph 3.5.1(1)(b)

*after:*

(Local Dental Officer)

*insert:*

. including for dental services provided by a *dental hygienist*, *dental therapist* or *oral health therapist* on behalf of the *dentist*

10. Paragraph 3.5.1(1)(d)

*after (first occurring):*

dental specialist
insert:

, including for dental services provided by a dental hygienist, dental therapist or oral health therapist on behalf of the dental specialist

11. Paragraph 4.6

omit.

12. Paragraph 4.7.1

omit:

principle 4.6 and paragraph 4.7.3

substitute:

paragraph 4.7.3 and the Repatriation Private Patient Principles (Australian Participants in British Nuclear Tests) 2006

13. Paragraph 4.8.1(a) and the Note

after:

with the exception of

insert:

elective surgery in a public hospital,

omit the Note.

14. Paragraph 5.1.1

after the paragraph, insert:

5.1.1A For paragraph 5.1.1, dental treatment provided by a dentist or dental specialist includes dental treatment provided by a dental hygienist, dental therapist or oral health therapist on behalf of the dentist or dental specialist, as the case may be.
15. **Paragraph 5.4.1**

*omit:*

but the *Commission’s*

*substitute:*

but if *prior approval* is required for the treatment then the *Commission’s*

16. **Paragraph 7.1.1**

*substitute:*

7.1.1 Except where provided in:

(1) the *Principles*;
(2) the *Notes for Allied Health Providers*; or
(3) a *Fee Schedule*;

the Commission’s *prior approval* for a treatment under this Part is not required.

17. **Schedule 1**

*substitute:*

**SCHEDULE 1 DATES FOR INCORPORATED DOCUMENTS**

The date for:

1. Notes for Local Medical Officers (paragraph 1.4.1);
2. Department of Veterans’ Affairs Fee Schedules for Medical Services (paragraph 3.5.1);
3. Notes for Allied Health Providers (paragraphs 3.5.1 and 7.1A.1);
4. Optometrist Fees for Consultation (paragraph 3.5.1);
5. DVA Schedule of Fees Orthoptists (paragraph 3.5.1);
6. Pricing Schedule for visual aids (paragraph 3.5.1);
7. The fourth edition of the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Disorders (commonly known as DSM-IV) (paragraph 2.4.2A);
8. Fee Schedule of Dental Services for Dentists and Dental Specialists (paragraph 3.5.1);
9. Fee Schedule of Dental Services for Dental Prosthetists (paragraph 3.5.1);
10. Chiropractors Schedule of Fees (paragraph 3.5.1);
11. Diabetes Educators Schedule of Fees (paragraph 3.5.1);
12. Dietitians Schedule of Fees (paragraph 3.5.1);
13. Exercise Physiologists Schedule of Fees (paragraph 3.5.1);
14. Occupational Therapists Schedule of Fees (paragraph 3.5.1);
15. Osteopaths Schedule of Fees (paragraph 3.5.1);
16. Physiotherapists Schedule of Fees (paragraph 3.5.1);
17. Psychologists Schedule of Fees (paragraph 3.5.1);
18. Podiatrists Schedule of Fees (paragraph 3.5.1);
19. Social Workers Schedule of Fees (paragraph 3.5.1);
20. Clinical Counsellors Schedule of Fees (paragraph 3.5.1);
21. Speech Pathologists Schedule of Fees (paragraph 3.5.1);
22. Australian Government Department of Veterans’ Affairs Classification System and Schedule of Item Numbers and Fees — Community Nursing Services;
23. Notes for Coordinated Veterans' Care Program Providers;

24. Rehabilitation Appliances Program (RAP) National Guidelines (paragraph 11.2A.1);

25. RAP National Schedule of Equipment (paragraph 11.2A.1);

is 31 August 2012.

18. The Treatment Principles (Australian Participants in British Nuclear Tests) 2006

ensure for provisions that numerals and letters run, respectively, in chronological and alphabetical order.