



# ***Health Insurance (Permitted benefits — diagnostic imaging services) Determination 2018***

## ***Health Insurance Act 1973***

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I, Celia Street, delegate of the Minister for Health, make this Determination under section 23DZZIG of the *Health Insurance Act 1973*.

Dated 13 March 2018

CELIA STREET  
Assistant Secretary  
Diagnostic Imaging and Pathology Branch  
Medical Benefits Division  
Department of Health

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**1 Name**

This Determination is the *Health Insurance (Permitted benefits — diagnostic imaging services) Determination 2018*.

**2 Commencement**

This Determination commences on the day after it is registered.

**3 Authority**

This Determination is made under section 23DZZIG of the *Health Insurance Act 1973*.

## 4 Definitions

In this Determination:

*Act* means the *Health Insurance Act 1973*.

Note: *Diagnostic imaging equipment*, *diagnostic imaging service*, *hospital* and *specialist* are defined in subsection 3(1) of the Act. *Provider*, *requester* and *connected* are defined in subsection 23DZZID(1) of the Act.

## 5 Repeal

The *Health Insurance (Permitted benefits – diagnostic imaging services) Determination 2008* is repealed.

## 6 Permitted benefits for diagnostic imaging services

- (1) For section 23DZZIG of the Act, a benefit mentioned in Schedule 1 is a class of permitted benefit if:
  - (a) a beneficiary who is, or is connected to, a requester of a kind of diagnostic imaging service, asks for, or accepts, the benefit from a provider, or a person connected to a provider, of a kind of diagnostic imaging service; or
  - (b) a provider, or a person connected to a provider, of a kind of diagnostic imaging service offers or provides the benefit to a beneficiary who is, or is connected to, a requester of a kind of diagnostic imaging service.
- (2) However, a benefit is not a permitted benefit if:
  - (a) it is related to the number, kind or value of requests for diagnostic imaging services made by a requester to a particular provider; or
  - (b) taken with other benefits of the same kind, it exceeds the number that would usually be needed by the beneficiary's practice.

## Schedule 1 Classes of permitted benefits

(section 6)

- 1 Items related to diagnostic imaging that help the requester to read film or images, or to make requests for the rendering of services relating to diagnostic imaging, if:
  - (a) they do not have the effect of preventing the requester from reading film or images produced by a provider other than the provider of the benefit or making requests for the rendering of services relating to diagnostic imaging to a provider other than the provider of the benefit; and
  - (b) one of the following applies:
    - (i) they can only be used for purposes connected with diagnostic imaging;
    - (ii) if an item has more than 1 use — it has special features that help the requester to request the rendering of diagnostic imaging services or view images.

*Examples*

- 1 Light box
  - 2 Requesting software
  - 3 Digital imaging reading software
  - 4 Monitor designed specifically to enable the requester to view images
- 2 The provision of staff or diagnostic imaging equipment at premises of the beneficiary if:
- (a) the premises are located more than 30 km by road from a radiology facility that is under the direction of a specialist in the specialty of diagnostic radiology; or
  - (b) the premises are a hospital; or
  - (c) the staff or equipment are stationed at the premises for the sole purpose of enabling services relating to diagnostic imaging to be rendered during a surgical procedure performed at the premises (including a procedure performed by fine needle aspiration).
- 3 Free or discounted diagnostic imaging services to a patient who is, or is connected to, the requester.
- 4 Educational material about diagnostic imaging, including material that may be given to patients.
- 5 Education sessions on diagnostic imaging for the beneficiary if:
- (a) the primary objective of the session is to provide relevant information about diagnostic imaging; and
  - (b) the venue is appropriate for the educational purpose of the session; and
  - (c) any hospitality given is secondary to the educational purpose of the session; and
  - (d) the cost of any hospitality is reasonable having regard to the venue and the conduct of the session; and
  - (e) no travel or accommodation costs of the beneficiary are paid by the provider of the benefit; and
  - (f) the session does not include, and is not held with, a sporting event or other entertainment.

*Examples of topics for educational material or sessions*

- 1 Appropriate requesting of diagnostic imaging services
  - 2 Understanding results and reports for areas of diagnostic imaging and for particular processes
- 6 Gifts or hospitality if:
- (a) they are a non-cash benefit that is not convertible to cash; and
  - (b) they are given infrequently and only in relation to a significant occasion; and
  - (c) they are not given as inducement, consideration or reward for the beneficiary requesting diagnostic imaging services from a particular provider; and
  - (d) the cost of the gift or hospitality is reasonable in the circumstances.

*Examples*

- 1 Flowers given because of the death of a family member of the beneficiary
  - 2 Hospitality given for Christmas parties
- 7 Diagnostic imaging request forms, promotional publications and promotional items, including material promoting the quality, convenience and cost to patients of diagnostic imaging services, if:
- (a) it has no resale value for the beneficiary; and
  - (b) it is clearly identified as coming from the provider of the diagnostic imaging service.