



Health Insurance (Section 3C General Medical Services – Mental Health Services for Bushfire Response) Determination 2020

made under subsection 3C(1) of the

Health Insurance Act 1973

Compilation No. 3

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About this compilation

This compilation

This is a compilation of the *Health Insurance (Section 3C General Medical Services – Mental Health Services for Bushfire Response) Determination 2020* that shows the text of the law as amended and in force on 1 July 2021 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

1.	Name.....	1
3.	Authority.....	1
4.	Definitions	1
5.	Treatment of relevant services	2
6.	Application of provisions of the general medical services table	2
7.	Mental health services for bushfire limits	2
Schedule 1 – relevant services		3
	Division 1.1 – Services and fees – allied health mental health services	3
	Division 1.2 – Services and fees – general practitioner mental health services	7
	Division 1.3 – Services and fees – Non-specialist Practitioner mental health services	9
Endnotes		11
	Endnote 1—About the endnotes	11
	Endnote 2—Abbreviation key	12
	Endnote 3—Legislation history	13
	Endnote 4—Amendment history	14

1. Name

This instrument is the *Health Insurance (Section 3C General Medical Services – Mental Health Services for Bushfire Response) Determination 2020*.

3. Authority

This instrument is made under subsection 3C(1) of the *Health Insurance Act 1973*.

4. Definitions

(1) In this instrument:

affected by bushfire means an adverse change in the patient’s mental health as a result of a bushfire which occurred in the 2019-20 financial year.

eligible clinical psychologist has the same meaning as in the *Health Insurance (Allied Health Services) Determination 2014*.

eligible occupational therapist has the same meaning as in the *Health Insurance (Allied Health Services) Determination 2014*.

eligible psychologist has the same meaning as in the *Health Insurance (Allied Health Services) Determination 2014*.

eligible social worker has the same meaning as in the *Health Insurance (Allied Health Services) Determination 2014*.

focussed psychological strategies means any of the following mental health care management strategies, each of which has been derived from evidence-based psychological therapies:

- (a) psycho-education;
- (b) cognitive-behavioural therapy that involves cognitive or behavioural interventions;
- (c) relaxation strategies;
- (d) skills training;
- (e) interpersonal therapy;
- (f) narrative therapy.

mental health service for bushfires means an item in Schedule 1 of this Determination.

relevant provisions means all provisions, of the Act and regulations made under the Act, and the *National Health Act 1953* and regulations made under the *National Health Act 1953*, relating to medical services, professional services or items.

Schedule means a Schedule to this instrument.

Note: The following terms are defined in subsection 3(1) of the Act:

-
- clinically relevant service;
 - general medical services table;
 - item;
 - medical practitioner;
 - professional service.

- (2) Unless the contrary intention appears, a reference in this instrument to a provision of the Act or the *National Health Act 1953* or regulations made under the Act or under the *National Health Act 1953* as applied, adopted or incorporated in relation to specifying a matter is a reference to those provisions as in force from time to time and any other reference to provisions of an Act or regulations is a reference to those provisions as in force from time to time.

5. Treatment of relevant services

For subsection 3C(1) of the Act, a relevant service, provided in accordance with this instrument and as a clinically relevant service, is to be treated, for the relevant provisions, as if:

- (a) it were both a professional service and a medical service; and
- (b) there were an item in the general medical services table that:
 - i. related to the service; and
 - ii. specified for the service a fee in relation to each State, being the fee specified in the Schedule in relation to the service.

6. Application of provisions of the general medical services table

- (1) Clause 1.2.5 of the general medical services table shall have effect as if items 91283, 91285, 91286, 91287, 91371, 91372, 91721, 91723, 91725, 91727, 91729 and 91731 of this Determination were specified in subclause 1.2.5(1) of the general medical services table.
- (2) Clause 1.2.6 of the general medical services table shall have effect as if items 91283, 91285, 91286, 91287, 91371, 91372, 91721, 91723, 91725, 91727, 91729 and 91731 of this Determination were also specified in subclause 1.2.6(1).
- (3) Clause 1.2.7 of the general medical services table shall have effect as if items 91283, 91285, 91286, 91287, 91371, 91372, 91721, 91723, 91725, 91727, 91729 and 91731 of this Determination were also specified in subclause 1.2.7(1).

7. Mental health services for bushfire limits

- (1) For any particular patient, items in Schedule 1 of this Determination apply only if the service is one of the first 10 mental health services for bushfires provided to the patient in the calendar year.

Schedule 1 – relevant services

Division 1.1 – Services and fees – allied health mental health services

1.1.1 – Application of allied health mental health services

- (1) For any particular patient, items in Division 1.1 only apply if a private health insurance benefit has not been claimed for the service.

Group M17 – Bushfire Recovery Access Initiative – Psychologist Services and Allied Health Focussed Psychological Strategies		
Item	Description	Fee (\$)
91000	Psychological therapy health service provided to a patient in consulting rooms (but not as an admitted patient of a hospital) by an eligible clinical psychologist if: (a) the patient is affected by bushfire; and (b) the service is provided to the patient individually and in person; and (c) the service is at least 30 minutes but less than 50 minutes duration	103.80
91001	Psychological therapy health service provided to a patient (but not as an admitted patient of a hospital) by an eligible clinical psychologist if: (a) the patient is affected by bushfire; and (b) the service is provided to the patient individually; and (c) the attendance is by video conference; and (d) the patient is not an admitted patient; and (e) the service is at least 30 minutes but less than 50 minutes duration	103.80
91005	Psychological therapy health service provided to a patient at a place other than consulting rooms (but not as an admitted patient of a hospital) by an eligible clinical psychologist in accordance with the requirements of item 91000	129.70
91010	Psychological therapy health service provided to a patient in consulting rooms (but not as an admitted patient of a hospital) by an eligible clinical psychologist if: (a) the patient is affected by bushfire; and (b) the service is provided to the patient individually and in person; and (c) the service is at least 50 minutes duration	152.40
91011	Psychological therapy health service provided to a patient (but not as an admitted patient of a hospital) by an eligible clinical psychologist if: (a) the patient is affected by bushfire; and (b) the service is provided to the patient individually; and (c) the attendance is by video conference; and (d) the patient is not an admitted patient; and (e) the service is at least 50 minutes duration	152.40
91015	Psychological therapy health service provided to a patient at a place other than consulting rooms (but not as an admitted patient of a hospital) by an	178.30

	eligible clinical psychologist in accordance with the requirements of item 91010	
91100	Focussed psychological strategies health service provided to a patient in consulting rooms (but not as an admitted patient of a hospital) by an eligible psychologist if: (a) the patient is affected by bushfire; and (b) the service is provided to the patient individually and in person; and (c) the service is at least 20 minutes but less than 50 minutes duration	73.55
91101	Focussed psychological strategies health service provided to a patient (but not as an admitted patient of a hospital) by an eligible psychologist if: (a) the patient is affected by bushfire; and (b) the service is provided to the patient individually; and (c) the attendance is by video conference; and (d) the patient is not an admitted patient; and (e) the service is at least 20 minutes but less than 50 minutes duration	73.55
91105	Focussed psychological strategies health service provided to a patient at a place other than consulting rooms (but not as an admitted patient of a hospital) by an eligible psychologist in accordance with the requirements of item 91100	100.05
91110	Focussed psychological strategies health service provided to a patient in consulting rooms (but not as an admitted patient of a hospital) by an eligible psychologist if: (a) the patient is affected by bushfire; and (b) the service is provided to the patient individually and in person; and (c) the service is at least 50 minutes duration	103.80
91111	Focussed psychological strategies health service provided to a patient (but not as an admitted patient of a hospital) by an eligible psychologist if: (a) the patient is affected by bushfire; and (b) the service is provided to the patient individually; and (c) the attendance is by video conference; and (d) the patient is not an admitted patient; and (e) the service is at least 50 minutes duration	103.80
91115	Focussed psychological strategies health service provided to a patient at a place other than consulting rooms (but not as an admitted patient of a hospital) by an eligible psychologist in accordance with the requirements of item 91110	130.35
91125	Focussed psychological strategies health service provided to a patient in consulting rooms (but not as an admitted patient of a hospital) by an eligible occupational therapist if: (a) the patient is affected by bushfire; and (b) the service is provided to the patient individually and in person; and (c) the service is at least 20 minutes but less than 50 minutes duration	64.80
91126	Focussed psychological strategies health service provided to a patient (but not as an admitted patient of a hospital) by an eligible occupational	64.80

	therapist if:	
	(a) the patient is affected by bushfire; and	
	(b) the service is provided to the patient individually; and	
	(c) the attendance is by video conference; and	
	(d) the patient is not an admitted patient; and	
	(e) the service is at least 20 minutes but less than 50 minutes duration	
91130	Focussed psychological strategies health service provided to a patient at a place other than consulting rooms (but not as an admitted patient of a hospital) by an eligible occupational therapist in accordance with the requirements of item 91125	91.25
91135	Focussed psychological strategies health service provided to a patient in consulting rooms (but not as an admitted patient of a hospital) by an eligible occupational therapist if:	91.50
	(a) the patient is affected by bushfire; and	
	(b) the service is provided to the patient individually and in person; and	
	(c) the service is at least 50 minutes duration	
91136	Focussed psychological strategies health service provided to a patient (but not as an admitted patient of a hospital) by an eligible occupational therapist if:	91.50
	(a) the patient is affected by bushfire; and	
	(b) the service is provided to the patient individually; and	
	(c) the attendance is by video conference; and	
	(d) the patient is not an admitted patient; and	
	(e) the service is at least 50 minutes duration	
91140	Focussed psychological strategies health service provided to a patient at a place other than consulting rooms (but not as an admitted patient of a hospital) by an eligible occupational therapist in accordance with the requirements of item 91135	117.95
91150	Focussed psychological strategies health service provided to a patient in consulting rooms (but not as an admitted patient of a hospital) by an eligible social worker if:	64.80
	(a) the patient is affected by bushfire; and	
	(b) the service is provided to the patient individually and in person; and	
	(c) the service is at least 20 minutes but less than 50 minutes duration	
91151	Focussed psychological strategies health service provided to a patient (but not as an admitted patient of a hospital) by an eligible social worker if:	64.80
	(a) the patient is affected by bushfire; and	
	(b) the service is provided to the patient individually; and	
	(c) the attendance is by video conference; and	
	(d) the patient is not an admitted patient; and	
	(e) the service is at least 20 minutes but less than 50 minutes duration	
91155	Focussed psychological strategies health service provided to a patient at a place other than consulting rooms (but not as an admitted patient of a hospital) by an eligible social worker in accordance with the requirements	91.25

of item 91150		
91160	Focussed psychological strategies health service provided to a patient in consulting rooms (but not as an admitted patient of a hospital) by an eligible social worker if: (a) the patient is affected by bushfire; and (b) the service is provided to the patient individually and in person; and (c) the service is at least 50 minutes duration	91.50
91161	Focussed psychological strategies health service provided to a patient (but not as an admitted patient of a hospital) by an eligible social worker if: (a) the patient is affected by bushfire; and (b) the service is provided to the patient individually; and (c) the attendance is by video conference; and (d) the patient is not an admitted patient; and (e) the service is at least 50 minutes duration	91.50
91165	Focussed psychological strategies health service provided to a patient at a place other than consulting rooms (but not as an admitted patient of a hospital) by an eligible social worker in accordance with the requirements of item 91160	117.95

Division 1.2 – Services and fees – general practitioner mental health services

1.2.1 Meaning of amount under table 1.2.1

- (1) An **amount under table 1.2.1**, for an item mentioned in column 1 of table 1.2.1, means the sum of:
- (a) the fee for the item mentioned in column 2 of the table; and
 - (b) either:
 - (i) if not more than 6 patients are attended at a single attendance—the amount mentioned in column 3 for the item, divided by the number of patients attended; or
 - (ii) if more than 6 patients are attended at a single attendance—the amount mentioned in column 4 for the item.

Item	Column 1	Column 2	Column 3	Column 4
	Item of the table	Fee	Amount if not more than 6 patients (to be divided by the number of patients) (\$)	Amount if more than 6 patients (\$)
1	91723	The fee for item 91721	31.75	2.45
2	91727	The fee for item 91725	31.75	2.45

1.2.2 Application of items 91721, 91723, 91725, 91727, 91729, 91731

- (1) Items 91721, 91723, 91725, 91727, 91729, 91731 apply to a service which:
- (b) is provided by a general practitioner:
 - (i) whose name is entered in the register maintained by the Chief Executive Medicare under section 33 of the *Human Services (Medicare) Regulations 2017*; and
 - (ii) who is identified in the register as a medical practitioner who can provide services to which Subgroup 2 of Group A20 of the general medical services table or items 91721, 91723, 91725, 91727, 91729, 91731 applies; and
 - (iii) who meets any training and skills requirements, as determined by the General Practice Mental Health Standards Collaboration for providing services to which Subgroup 2 of Group A20 of the general medical services table or items 91721, 91723, 91725, 91727, 91729, 91731 applies.

Group A39 – Bushfire Recovery Access Initiative – GP and Medical Practitioner Focussed Psychological Strategies

Item	Description	Fee (\$)
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91721	Professional attendance at consulting rooms by a general practitioner (not including a specialist or a consultant physician), for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the service is at least 30 minutes but less than 40 minutes duration	113.50
91723	Professional attendance at a place other than consulting rooms by a general practitioner (not including a specialist or a consultant physician), for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the service is at least 30 minutes but less than 40 minutes duration	Amount under clause 1.2.1
91725	Professional attendance at consulting rooms by a general practitioner (not including a specialist or a consultant physician), for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the service is at least 40 minutes duration	162.45
91727	Professional attendance at a place other than consulting rooms by a general practitioner (not including a specialist or a consultant physician), for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the service is at least 40 minutes duration	Amount under clause 1.2.1
91729	Professional attendance at consulting rooms by a general practitioner, for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the attendance is by video conference; and (c) the service is at least 30 minutes but less than 40 minutes duration	113.50
91731	Professional attendance at consulting rooms by a general practitioner, for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the attendance is by video conference; and (c) the service is at least 40 minutes duration	162.45

Division 1.3 – Services and fees – Non-specialist Practitioner mental health services

1.3.1 Definitions in Division 1.3

- (1) For the purpose of Division 1.3.1, the meaning of *medical practitioner* has the same meaning as in the *Health Insurance (Section 3C General Medical Services – Other Medical Practitioner) Determination 2018*.
- (2) An **amount under table 1.3.1**, for an item mentioned in column 1 of table 1.3.1, means the sum of:
 - (a) the fee for the item mentioned in column 2 of the table; and
 - (b) either:
 - (i) if not more than 6 patients are attended at a single attendance—the amount mentioned in column 3 for the item, divided by the number of patients attended; or
 - (ii) if more than 6 patients are attended at a single attendance—the amount mentioned in column 4 for the item.

Table 1.3.1—Amount under clause 1.3.1

Item	Column 1	Column 2	Column 3	Column 4
	Item of the table	Fee	Amount if not more than 6 patients (to be divided by the number of patients) (\$)	Amount per patient if more than 6 patients (\$)
1	91285	The fee for item 91283	25.40	1.95
2	91287	The fee for item 91286	25.40	1.95

1.3.2 Application of items 91283, 91285, 91286, 91287, 91371 and 91372

- (1) Items 91283, 91285, 91286, 91287, 91371 and 91372 apply to a service which:
 - (a) is provided by a medical practitioner:
 - (i) whose name is entered in the register maintained by the Chief Executive Medicare under section 33 of the *Human Services (Medicare) Regulations 2017*; and
 - (ii) who is identified in the register as a medical practitioner who can provide services to which Subgroup 2 of Group A20 of the general medical services table or items 91283, 91285, 91286, 91287, 91371 and 91372 applies; and
 - (iii) who meets any training and skills requirements, as determined by the General Practice Mental Health Standards Collaboration for providing services to which Subgroup 2 of Group A20 of

the general medical services table or items 91283, 91285, 91286, 91287, 91371 and 91372 applies.

Group A39 – Bushfire Recovery Access Initiative – GP and Medical Practitioner Focussed Psychological Strategies		
Item	Description	Fee(\$)
91283	Professional attendance at consulting rooms by a medical practitioner, for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the service is at least 30 minutes but less than 40 minutes duration	90.80
91285	Professional attendance at a place other than consulting rooms by a medical practitioner, for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the service is at least 30 minutes but less than 40 minutes duration	Amount under clause 1.3.1
91286	Professional attendance at consulting rooms by a medical practitioner, for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the service is at least 40 minutes duration	129.95
91287	Professional attendance at a place other than consulting rooms by a medical practitioner, for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the service is at least 40 minutes duration	Amount under clause 1.3.1
91371	Professional attendance at consulting rooms by a medical practitioner, for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the attendance is by video conference; and (c) the patient is not an admitted patient; and (d) the service is at least 30 minutes but less than 40 minutes duration	90.80
91372	Professional attendance at consulting rooms by a medical practitioner, for providing focussed psychological strategies for mental health services to a patient with mental health issues, if: (a) the patient is affected by bushfire; and (b) the attendance is by video conference; and (c) the patient is not an admitted patient; and (d) the service is at least 40 minutes duration	129.95

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnotes

Endnote 2—Abbreviation key

Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnote 3—Legislation history

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Health Insurance (Section 3C General Medical Services – Mental Health Services for Bushfire Response) Determination 2020	16 Jan 2020 (F2020L00030)	17 Jan 2020 (s 2(1) item 1)	
Health Insurance Legislation Amendment (Section 3C – Medical and Diagnostic Imaging Services) Determination 2020	29 Apr 2020 (F2020L00518)	1 May 2020 (s 2(1) item 1)	—
Health Insurance Legislation Amendment (Section 3C – General Medical and Diagnostic Imaging Services – Medicare Indexation) Determination 2020	18 June 2020 (F2020L00748)	Sch 1 (items 45–78): 1 July 2020 (s 2(1) item 1)	—
Health Insurance Legislation Amendment (Section 3C – General Medical and Diagnostic Imaging Services – Medicare Indexation) Determination 2021	8 Apr 2021 (F2021L00426)	Sch 1 (items 319–352): 1 July 2021 (s 2(1) item 1)	—

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
s 2	rep LA s 48D
s 6	am F2020L00518
Schedule 1	
Schedule 1	am F2020L00478; F2021L00426
