



## **National Health (Collaborative Arrangements for Nurse Practitioners) Instrument 2022**

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I, Travis Haslam, delegate of the Minister for Health and Aged Care, make the following instrument.

Dated 27 September 2022

Travis Haslam  
Acting First Assistant Secretary  
Medical Benefits Division  
Health Resourcing Group  
Department of Health and Aged Care

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## Part 1—Preliminary

### 1 Name

This instrument is the *National Health (Collaborative Arrangements for Nurse Practitioners) Instrument 2022*.

### 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3 Authority

This instrument is made under subsection 84(1) of the *National Health Act 1953*.

### 4 Definitions

Note 1: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) nurse practitioner.

Note 2: Under subsection 4(1A) of the Act, a word or phrase defined for the purposes of the *Health Insurance Act 1973* has the meaning that it would have if used in that Act. Expressions used in this instrument that are defined in that Act include the following:

- (a) consultant physician;  
(b) medical practitioner;  
(c) specialist.

In this instrument:

*Act* means the *National Health Act 1953*.

*eligible nurse practitioner* has the same meaning as in Part VII of the Act.

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## 5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Part 2—Specified medical practitioners and collaborative arrangements

### 6 Authorised nurse practitioners—specified medical practitioners

For the purposes of the definition of authorised nurse practitioner in subsection 84(1) of the Act (which deals with eligible nurse practitioners providing nurse practitioner treatment in collaborative arrangements with medical practitioners), all medical practitioners are specified.

### 7 Authorised nurse practitioners—specified collaborative arrangements

- (1) For the purposes of the definition of *authorised nurse practitioner* in subsection 84(1) of the Act (which deals with eligible nurse practitioners providing nurse practitioner treatment in collaborative arrangements with medical practitioners), each of the following is specified as a kind of collaborative arrangement, provided the collaborative arrangement complies with subsection (2):
  - (a) a collaborative arrangement in which the nurse practitioner is employed or engaged by:
    - (i) one or more medical practitioners; or
    - (ii) an entity that employs or engages one or more medical practitioners;
  - (b) a collaborative arrangement in which a medical practitioner refers a patient to the eligible nurse practitioner in writing;
  - (c) a collaborative arrangement in which the eligible nurse practitioner and one or more medical practitioners make an agreement in writing, signed by each party;
  - (d) a collaborative arrangement in which the eligible nurse practitioner:
    - (i) has acknowledgement from one or more medical practitioners that the practitioner will be collaborating in the care of a patient or patients; and
    - (ii) tells each patient to whom the arrangement applies that the nurse practitioner will be providing care to the patient within an arrangement with one or more medical practitioners that provides for consultation, referral of the patient and transfer of the patient's care (as required by subsection (2)); and
    - (iii) makes the records required by section 8 in relation to each patient to whom the arrangement applies.
- (2) For the purposes of subsection (1), the collaborative arrangement must provide for:
  - (a) consultation between the nurse practitioner and a medical practitioner; and
  - (b) referral of a patient by the nurse practitioner to a medical practitioner; and

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(c) transfer of a patient's care by the nurse practitioner to a medical practitioner.

(3) A collaborative arrangement may apply to more than one patient.

## **8 Nurse practitioner record-keeping requirements for certain collaborative arrangements**

### *General*

- (1) For the purposes of subparagraph 7(1)(d)(iii), the eligible nurse practitioner must record the following in the nurse practitioner's written records in relation to the patient:
- (a) the name of at least one medical practitioner who has given the nurse practitioner an acknowledgement mentioned in subparagraph 7(1)(d)(i) that applies to the patient (a ***named medical practitioner***);
  - (b) that the nurse practitioner has told the patient that the nurse practitioner will be providing care to the patient within an arrangement with one or more medical practitioners that provides for consultation, referral of the patient and transfer of the patient's care (as required by subsection 7(2));
  - (c) the circumstances in which the nurse practitioner will do any of the following:
    - (i) consult with a medical practitioner about the patient's care;
    - (ii) refer the patient to a medical practitioner;
    - (iii) transfer the patient's care to a medical practitioner.

### *Particular events*

- (2) For the purposes of subparagraph 7(1)(d)(iii), the eligible nurse practitioner must record, in relation to each patient, the following in the nurse practitioner's written records, as soon as practicable after the event occurs:
- (a) any consultation or other communication between the nurse practitioner and a medical practitioner about the patient's care;
  - (b) any referral of the patient by the nurse practitioner to a medical practitioner;
  - (c) any transfer by the nurse practitioner of the patient's care to a medical practitioner;
  - (d) if the nurse practitioner gives a copy of a document mentioned in subsection (4) to a named medical practitioner or the patient's usual general practitioner—when the copy is given.
- (3) The eligible nurse practitioner must give a copy of a document mentioned in subsection (4) to:
- (a) a named medical practitioner, if the nurse practitioner does any of the following and the named medical practitioner asks for a copy of the document:
    - (i) consults with the named medical practitioner about the patient's care;
    - (ii) refers the patient to the named medical practitioner;
    - (iii) transfers the patient's care to the named medical practitioner; and

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- (b) the patient's usual general practitioner, if:
    - (i) the patient's usual general practitioner is not a named medical practitioner for the patient; and
    - (ii) the patient consents.
  - (4) The documents are the following:
    - (a) a referral of the patient by the nurse practitioner to a specialist or consultant physician;
    - (b) the results of diagnostic imaging or pathology services for the patient requested by the nurse practitioner;
    - (c) a record of services rendered by the nurse practitioner to the patient.
  - (5) In this section:

***usual general practitioner***, in relation to a patient, includes a medical practitioner nominated by the patient.



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## **Schedule 1—Repeals**

Note: See section 5.

### ***National Health (Collaborative arrangements for nurse practitioners) Determination 2010***

#### **1 The whole of the instrument**

Repeal the instrument.