

# Health Insurance Regulations (Amendment) 1996 No. 235

## EXPLANATORY STATEMENT

### STATUTORY RULES 1996 No. 235

Issued by authority of the Minister for Health and Family Services

#### *Health Insurance Act 1973*

#### Health Insurance Regulations (Amendment)

The *Health Insurance Act 1973* (the Act) provides in part for the payment of Medicare benefits for professional services rendered by medical practitioners and for certain professional services rendered by dental practitioners and optometrists.

Section 133 of the Act provides that the Governor-General may make regulations for the purposes of the Act.

The Regulations are necessary to amend the Health Insurance Regulations as a result of the Government's election commitment to reinforce the role of the general practitioner as the prime co-ordinator of a patient's health care by requiring that a referral given by a specialist or consultant physician be valid for no more than 3 months. The period of validity of referrals originating from other practitioners remains unchanged. The changes have been formulated in consultation with the medical profession.

The Regulations also include a number of other minor amendments to the Health Insurance Regulations to correct existing errors.

Regulations 3, 4 and 7 amend minor errors of grammar and spelling in the current Regulations.

Regulation 5 amends Regulation 29 by introducing new subregulation 29 (4A) to specify that referrals originating from a specialist or consultant physician include the name of the patient's general practitioner, or contain a statement to the effect that the patient is unable or unwilling to nominate a general practitioner. This will facilitate the patient's general practitioner being kept informed of the patient's progress.

Regulation 6 amends Regulation 31 by introducing new subregulation 31(1A) to provide that a referral originating from a specialist or consultant physician be valid for a period of 3 months from the first service given in accordance with the referral, or, in the case of patients in hospital, for the duration of the admission or 3 months from the first service given in accordance with the referral, whichever is the longer. The proposed Regulation also provides for subregulation 31(1) to be subject to the new subregulation.

The Regulations commence on 1 November 1996.