

National Health Regulations (Amendment) 1995 No. 34

EXPLANATORY STATEMENT

STATUTORY RULES 1995 No. 34

Issued by authority of the Minister for Human Services and Health

National Health Act 1953

National Health Regulations (Amendment)

Section 140 of the National Health Act 1953 (the Act) provides that the Governor-General may make regulations for the purposes of the Act.

The term day hospital facility is presently defined in subsection 4(1) of the Act as follows:

- "(a) premises registered as a hospital under a law of a State or Territory relating to the registration of hospitals; or
- (b) premises, or premises included in a class of premises, prescribed for the purposes of this paragraph;"

Regulation 4 of the National Health Regulations formerly prescribed seventeen premises as day hospital facilities, for the purposes of paragraph (b) of the above definition.

Subregulation 2.1 of the regulations amended the existing subregulation 4(1) in the National Health Regulations to prescribe, for the purposes of the above definition, Eastside Day Surgery, 190 Glen Osmond Road, Fullarton, South Australia, in addition to the other seventeen prescribed premises, as 'day hospital facilities'.

After the Regulations came into effect, the patients of Eastside Day Surgery became eligible to receive basic table health insurance benefits, an are patients of all other such day hospital facilities.

South Australia does not have the legislation to approve their State's day hospital facilities for health insurance purposes and must, therefore, rely on Federal approval.

The regulations commenced on Gazettal.