

# **Health Insurance (Professional Services Review) Amendment Regulations 2001 (No. 1) 2001 No. 45**

## **EXPLANATORY STATEMENT**

### **STATUTORY RULES 2001 No. 45**

Issued by the Authority of the Minister for Health and Aged Care

*Health Insurance Act 1973*

Health Insurance (Professional Services Review) Amendment Regulations 2001 (No. 1)

Section 13 3 of the *Health Insurance Act 19 73* (the Act) provides that the Governor-General may make regulations prescribing the matters that are required or permitted by the Act to be prescribed, or that are necessary and convenient to be prescribed for carrying out or giving effect to the Act.

Subsection 106KA(3) of the Act provides that the regulations may prescribe, in relation to a particular profession or an identified group or groups of practitioners in a particular profession, circumstances in which services of a particular kind or description that are rendered or initiated, constitute, or do not constitute, a prescribed pattern of services for the purposes of subsection 106KA(1). Subsection 106KA(1) in effect deems the conduct of a person in relation to a prescribed pattern of services to be inappropriate practice.

Part 3 of the Health Insurance (Professional Services Review) Regulations 1999 (the Regulations) prescribes, in respect of general practitioners and other medical practitioners rendering 'professional attendances', the rendering of 80 or more 'professional attendances' on each of 20 or more days in a 12 month period, as a prescribed pattern of services for Part VAA of the Act.

Regulation 7 defined 'professional attendance' as "a service of a kind mentioned in group A1, A2, A5, A6, A7, A13, A14 or A15 of Part 2 of the general medical services table".

The amending regulations substituted a new definition of 'professional attendance' that:

- includes group A11 items in the definition of 'professional attendance', Group A11 refers to items 601, 602, 697 and 698 of the general medical services table, namely professional attendance by general practitioners at 'unsociable hours'; and
- replaces the reference to 'Part 2 of the general medical services table' to 'Part 3 of the general medical services table' to accord with the Health Insurance (General Medical Services Table) Regulations 2000 which commenced on 1 November 2000.

The details of the regulations are set out in the Attachment.

The regulations commenced on gazettal.

## **ATTACHMENT**

### **Details of the Health Insurance (Professional Services Review) Amendment Regulations 2001**

#### **Regulation 1 - Name of Regulations**

Specifies that the title of the regulations is the Health Insurance (Professional Services Review) Amendment Regulations 2001.

#### **Regulation 2 - Commencement**

Provides that the Regulations commence on gazettal.

#### **Regulation 3 - Amendment of Health Insurance (Professional Services Review) Regulations 1999**

Provides that Schedule 1 amends the Health Insurance (Professional Services Review) Regulations 1999.

#### **Schedule 1 - Amendments**

Item [1] substitutes a new definition of 'professional attendance' that:

- includes group A11 items in the definition of 'professional attendance'. Group A11 refers to items 601, 602, 697 and 698 of the general medical services table, namely professional attendance by general practitioners at 'unsociable hours'. and
- replaces the reference to 'Part 2 of the general medical services table' to 'Part 3 of the general medical services table' to accord with the Health Insurance (General Medical Services Table) Regulations 2000 which commenced on 1 November 2000.