

# **Health Insurance Amendment Regulations 2004 (No. 6) 2004 No. 181**

## **EXPLANATORY STATEMENT**

### **STATUTORY RULES 2004 NO. 181**

Issued by Authority of the Minister for Health and Ageing

*Health Insurance Act 1973*

*Health Insurance Amendment Regulations 2004 (No. 6)*

Section 133(1) of the *Health Insurance Act 1973* (the Act) provides that the Governor-General may make Regulations, not inconsistent with the Act, prescribing all matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The Act provides, in part, for payments of Medicare benefits in respect of professional services rendered to eligible persons. Section 19AA provides, in part, that a Medicare benefit is not payable in respect of a professional service unless the person who rendered the service first became a medical practitioner on or after 1 November 1996 and is, within the meaning of the Act, a "specialist", a "consultant physician", a "general practitioner" or a person registered pursuant to Section 3GA of the Act. Section 19AA was introduced in 1996 with the aim of ensuring that the long term medical workforce in Australia is of a high quality and to assist in dealing with workforce distribution problems.

Section 3GA of the Act provides for the registration of certain medical practitioners in approved placements as recorded in the Register of Approved Placements that is maintained by the Health Insurance Commission. In particular, paragraph 3GA(5)(a) provides for the entry of a practitioner's name on the Register of Approved Placements where the practitioner applies and a body specified in the regulations gives written notice to the Managing Director of the Health Insurance Commission that the applicant is undertaking a course or program of a kind specified in the regulations, together with the duration and location of the course or program. The relevant bodies and courses are specified in Schedule 5 to the *Health Insurance Regulations 1975* (the Principal Regulations).

Entry of a medical practitioner's name in the Register of Approved Placements allows the payment of Medicare benefits for professional services rendered by the practitioner where Section 19AA of the Act would otherwise prevent the payment of Medicare benefits in respect of the practitioner's services.

In November 2003, the Australian Government announced a range of measures to strengthen Medicare. The Program is one of those measures. It is designed to provide junior doctors an opportunity to undertake a supervised general practice placement in outer metropolitan, regional, rural and remote areas and aims to encourage doctors to take up general practice, particularly in these areas.

Prior to the implementation of this Program the Regulations need to be amended to allow Medicare benefits to be paid in respect of professional services rendered by medical practitioners registered as participants in the Pre-vocational General Practice Placements Program.

The Regulations include the Program in Part 2 of Schedule 5 of the Principal Regulations and hence specify the Program for the purposes of the Register of Approved Placements.

The Regulations also include three bodies in Part 2 of Schedule 5 to the Principal Regulations for the purpose of separately administering approved placements under the Program. The three administering bodies are the Australian College of Rural and Remote Medicine, the Royal Australian College of General Practitioners and General Practice Education and Training Ltd.

Details of the Regulations are set out in the Attachment.

The Act specifies no conditions that need to be met before the power to make the Regulations may be exercised. The Regulations commence on 1 July 2004.

## **ATTACHMENT**

### **Details of the Health Insurance Amendment Regulations 2004 (No. 6)**

Regulation 1 provides for the Regulations to be referred to as the *Health Insurance Regulations Amendment 2004 (No. 6)*.

Regulation 2 provides for the Regulations to commence on 1 July 2004.

Regulation 3 provides that the *Health Insurance Regulations 1975* to be amended as set out in Schedule 1.

### **Schedule 1**

#### **Item (1)**

This item inserts three new Items into Part 2 of Schedule 5 to the Principal Regulations. This amendment specifies the *Pre-vocational General Practice Placements Program*, as administered by the Australian College of Rural and Remote Medicine, the Royal Australian College of General Practitioners or General Practice Education and Training Ltd, as a program for the purposes of section 3GA of the Act.