

EXPLANATORY STATEMENT

Issued by the Authority of the Minister for Health and Ageing

Health Insurance Act 1973

Health Insurance (Obstetric Item 15999) Determination HS/02/2005

Subsection 3C(1) of the *Health Insurance Act 1973* (“the Act”) allows the Minister to determine in writing that a specified health service (which is not listed in the Medicare Benefits Schedule) shall, in specified circumstances and for specified statutory provisions, be treated as if it were so listed.

The effect of subsection 3C(4) is that a determination made under subsection 3C(1) is a disallowable instrument within the meaning of the *Acts Interpretation Act 1901*.

On 31 August 2004 the Minister for Health and Ageing made *Health Insurance Determination HS/09/2004* (“Determination HS/09/2004”) to allow the payment of Medicare benefits for the planning and management of pregnancy that has progressed beyond 20 weeks. Determination HS/09/2004 allowed coverage of management services performed by obstetricians that did not fit with existing Medicare items for medical consultations. Accordingly, Determination HS/09/2004 allowed the payment of benefits until 2 September 2005.

Health Insurance (Obstetric Item 15999) Determination HS/02/2005 (“the Determination”) replaces Determination HS/09/2004 with the cessation date that is extended until 31 October 2005. Extending the cessation date will mean that Medicare benefits can continue to be paid.

Details of the Determination are set out in the Attachment.

NOTES ON CLAUSES

Clause 1 provides that the Determination may be cited as the Health Insurance (Obstetrics Item 15999) Determination HS/02/2005.

Clause 2 provides that the Determination commences on the day after it is registered on the Federal Register of Legislative Instruments and cease to have effect at the end of 31 October 2005.

Clause 3 revokes Health Insurance (Obstetric Item 15999) Determination HS/09/2004.

Clause 4 defines certain terms used in the Determination.

Clause 5 provides for the treatment of a relevant service as if it were both a professional services and a medical service and were an item in the general medical services table.

The Schedule sets out the health service to which the Determination relates and specifies the fee in respect to that service