

## **EXPLANATORY STATEMENT**

### **Select Legislative Instrument 2006 No. 273**

Issued by the Authority of the Minister for Health and Ageing

*Health Insurance Act 1973*

*Health Insurance (Pathology Services) Amendment Regulations 2006 (No. 1)*

Subsection 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 *Health Insurance (Pathology Services) Regulations 1989* (the Principal Regulations) prescribe the particulars to be included in a request for pathology services by a treating practitioner.

The Regulations will amend the Principal Regulations to make it a requirement for requests for pathology services to note whether the patient is a public patient in a recognized hospital, as opposed to a private patient. This will reflect the amended wording used in the Medicare Benefits Schedule Book.

The Regulations have been developed with the co-operation and support of the two peak pathology bodies, the Royal College of Pathologists of Australasia and the Australian Association of Pathology Practices, through the Pathology Services Table Committee.

The Act specifies no conditions that need to be satisfied before the power to make the Regulations may be exercised.

The Regulations are a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The Regulations will commence on the day after they are registered on the Federal Register of Legislative Instruments.

Authority: Subsection 133(1) of the  
*Health Insurance Act 1973*