

EXPLANATORY STATEMENT

Select Legislative Instrument 2007 No. 187

Subject - *Health Insurance Act 1973*

Health Insurance Amendment Regulations 2007 (No. 4)

Subsection 133(1) of the *Health Insurance Act 1973* (the Act) provides, in part, 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.

Paragraph 10(2)(aa) of the Act enables a Medicare benefit equal to 100 per cent of the Medicare schedule fee to be paid for certain services, as prescribed in regulations. Schedule 6 to the *Health Insurance Regulations 1975* (the Principal Regulations) currently lists those services that attract a Medicare benefit equal to 100 per cent of the Medicare schedule fee. These services comprise non-referred consultations provided by vocationally and non-vocationally registered general practitioners, and services provided by a practice nurse on behalf of a general practitioner.

The purpose of the Regulations is to list several new services in Schedule 6 to the Principal Regulations, as a consequence of amendments being made to other regulations.

The amendments to the *Health Insurance (General Medical Services Table) Regulations 2006* (recommended under a separate Minute) include two new items for an annual health assessment for people with an intellectual disability and a new item for services provided to a person with a chronic disease by a practice nurse or Aboriginal health worker. The Regulations prescribe these three items as items that attract a Medicare benefit equal to 100 per cent of the Medicare schedule fee.

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

The Regulations commence on 1 July 2007.

ATTACHMENT**DETAILS OF THE *HEALTH INSURANCE AMENDMENT REGULATIONS 2007*
(No. 4)**

Regulation 1 provides for the Regulations to be referred to as the *Health Insurance Amendment Regulations 2007 (No. 4)*.

Regulation 2 provides for the Regulations to commence on 1 July 2007.

Regulation 3 provides for Schedule 1 to amend the *Health Insurance Regulations 1975* (the Principal Regulations).

Schedule 1 – Amendment**Item [1]**

This item amends item 7 of Schedule 6 to the Principal Regulations to include item 718 and 719 as a service that attracts a Medicare benefit equal to 100 per cent of the Medicare schedule fee.

Items 718 and 719 introduces a new item to support general practitioners to identify and address the specific clinical needs of patients who have an intellectual disability.

Item [2]

This item amends item 15 of Schedule 6 to the Principal Regulations to include item 10997 as a service that attracts a Medicare benefit equal to 100 per cent of the Medicare schedule fee.

Item 10997 introduces a new item for services provided by a practice nurse or Aboriginal health worker, on behalf of a general practitioner for people with a chronic disease.