

EXPLANATORY STATEMENT

Select Legislative Instrument 2007 No. 254

Health Insurance Act 1973

Health Insurance (General Medical Services Table) Amendment Regulations 2007 (No. 6)

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.

The Act provides, in part, for payments of Medicare benefits in respect of professional services rendered to eligible persons. Section 9 of the Act provides that Medicare benefits shall be calculated by reference to the fees for medical services set out in prescribed tables.

Subsection 4(1) of the Act provides that the regulations may prescribe a table of medical services (other than diagnostic imaging services and pathology services) that sets out items of medical services, the amount of fees applicable in respect of each item, and rules for interpretation of the table.

A table of general medical services is currently prescribed by the *Health Insurance (General Medical Services Table) Regulations 2006* (the Principal Regulations) which commenced on 1 November 2006.

The purpose of the regulations is to amend the Principal Regulations to include a new rule of interpretation for Item 35321 which relates to peripheral arterial or venous catheterisation to administer agents, to clarify that this item does not apply to the service described if the service is provided at the same time as, or in connection with, endovenous laser treatment for varicose veins.

Consultation for this amendment included the Australian Medical Association and Medicare Australia.

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 September 2007.

ATTACHMENT

Details of the *Health Insurance (General Medical Services Table) Amendment Regulations 2007 (No. 6)*

Regulation 1 provides for the Regulations to be referred to as the *Health Insurance (General Medical Services Table) Amendment Regulations 2007 (No. 6)*

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

Regulation 3 provides that Schedule 1 amends the *Health Insurance (General Medical Services Table) Regulations 2006* (the Principal Regulations).

Schedule 1 - Amendments

Rules of interpretation

Item [1]

Rule 15AA

This item inserts a new rule 15AA for item 35321 to clarify that this item does not apply to the service described in that item if the service is provided at the same time as, or in connection with, endovenous laser treatment for varicose veins.