



# Hearing Services (Participants in the Voucher System) Amendment Determination 2010 (No. 1)

*Hearing Services Administration Act 1997*

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I, JUSTINE ELLIOT, Minister for Ageing, make this Determination under subsection 13 (1) of the *Hearing Services Administration Act 1997*.

Dated June 2<sup>nd</sup> 2010

J Elliot

JUSTINE ELLIOT  
Minister for Ageing

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**1 Name of Determination**

This Determination is the *Hearing Services (Participants in the Voucher System) Amendment Determination 2010 (No. 1)*.

**2 Commencement**

This Determination commences on 1 July 2010.

**3 Amendment of *Hearing Services (Participants in the Voucher System) Determination 1997***

Schedule 1 amends the *Hearing Services (Participants in the Voucher System) Determination 1997*.

## Schedule 1 Amendments

(section 3)

### [1] Section 3, after definition of *Table B*

*insert:*

*type 1 hearing loss* means hearing loss averaging greater than 23 decibels when tested at 0.5, 1 and 2 kilohertz.

*type 2 hearing loss* means hearing loss averaging 23 decibels or less when tested at 0.5, 1 and 2 kilohertz.

### [2] Section 3, after definition of *voucher system*

*insert:*

*Wishes and Needs Tool* means the document so titled, in the form issued by the National Acoustic Laboratories, as in force on 1 July 2010.

### [3] Subsection 6(1)

*omit*

sections 7 and 8

*substitute*

sections 7, 8 and 9

### [4] Subsection 6(2), Table B

*substitute*

Column 1	Column 2
Class No. (by reference to Table A)	Description of available hearing services
1	<ol style="list-style-type: none"> <li>1. Services necessary to assess and measure the nature and extent of the participant's hearing loss</li> <li>2. Advice and assistance to the extent necessary to achieve a rehabilitation outcome by the participant that is commensurate with his or her needs</li> <li>3. For a participant with type 1 hearing loss in at least 1 ear, provision of a hearing device for fitting in an ear with type 1 hearing loss, if that device:</li> </ol>

Column 1	Column 2
Class No. (by reference to Table A)	Description of available hearing services
	<ul style="list-style-type: none"> <li>(a) meets the specifications approved by the Minister; and</li> <li>(b) is approved by the Minister, in writing, for this section on the basis that the device:               <ul style="list-style-type: none"> <li>(i) has been approved by the Minister, under rule 12 of the <i>Hearing Services Rules of Conduct 2005</i>, for fitting at no cost to participants; and</li> <li>(ii) is clinically necessary and appropriate to the participant's hearing loss, capacity to benefit from its use and life circumstances</li> </ul> </li> </ul>
	<p>4. For a participant with type 1 hearing loss in at least 1 ear, provision of a hearing device for fitting in an ear with type 1 hearing loss, if that device:</p> <ul style="list-style-type: none"> <li>(a) meets the specifications approved by the Minister; and</li> <li>(b) is approved by the Minister, in writing, for this section on the basis that the device:               <ul style="list-style-type: none"> <li>(i) has been approved by the Minister, under rule 12 of the <i>Hearing Services Rules of Conduct 2005</i>, as a device for which the participant can be asked to make a payment to the provider; and</li> <li>(ii) is clinically suitable to the participant's hearing loss</li> </ul> </li> </ul>
	<p><i>Note</i> Subsection 7 (2) applies.</p>

Column 1	Column 2
Class No. (by reference to Table A)	Description of available hearing services
	<p>5. For a participant with type 2 hearing loss in at least 1 ear and who meets the additional requirements set out in subsection 9(2), provision of a hearing device for fitting in an ear with type 2 hearing loss, if that device:</p> <ul style="list-style-type: none"> <li>(a) meets the specifications approved by the Minister; and</li> <li>(b) is approved by the Minister, in writing, for this section on the basis that the device: <ul style="list-style-type: none"> <li>(i) has been approved by the Minister, under rule 12 of the <i>Hearing Services Rules of Conduct 2005</i>, for fitting at no cost to participants; and</li> <li>(ii) is clinically necessary and appropriate to the participant's hearing loss, capacity to benefit from its use and life circumstances</li> </ul> </li> </ul>
	<p>6. For a participant with type 2 hearing loss in at least 1 ear and who meets the additional requirements set out in subsection 9(2), provision of a hearing device for fitting in an ear with type 2 hearing loss, if that device:</p> <ul style="list-style-type: none"> <li>(a) meets the specifications approved by the Minister; and</li> <li>(b) is approved by the Minister, in writing, for this section on the basis that the device: <ul style="list-style-type: none"> <li>(i) has been approved by the Minister, under rule 12 of the <i>Hearing Services Rules of Conduct 2005</i>, as a device for which the participant can be asked to make a payment to the provider; and</li> <li>(ii) is clinically necessary and appropriate to the participant's hearing loss, capacity to benefit from its use and life circumstances</li> </ul> </li> </ul>
	<p><i>Note</i> Subsection 7 (2) applies.</p>
	<p>7. Replacement of a hearing device that has been lost, destroyed or damaged, if authorised by the Minister in accordance with section 10 of the <i>Hearing Services Voucher Rules 1997</i>.</p>
	<p><i>Note</i> Subsection 7 (2A) applies.</p>
	<p>8. Services necessary to fit the selected hearing device</p>

Column 1	Column 2
Class No. (by reference to Table A)	Description of available hearing services
2	<p data-bbox="592 416 1187 510">9. Necessary repairs and maintenance of the hearing device, including the reasonable provision of replacement batteries, for a period of 1 year</p> <p data-bbox="592 528 927 551"><i>Note</i> Subsection 7 (3) applies.</p> <p data-bbox="592 566 1187 660">The following services, other than any service that the participant had received before 1 November 1997:</p> <ol style="list-style-type: none"> <li data-bbox="592 678 1187 741">1. Services necessary to assess and measure the nature and extent of the participant's hearing loss</li> <li data-bbox="592 759 1187 880">2. Advice and assistance to the extent necessary to achieve a rehabilitation outcome by the participant that is commensurate with his or her needs</li> <li data-bbox="592 898 1206 1373">3. For a participant with type 1 hearing loss in at least 1 ear, provision of a hearing device for fitting in an ear with type 1 hearing loss, if that device: <ol style="list-style-type: none"> <li data-bbox="616 1005 1142 1068">(a) meets the specifications approved by the Minister; and</li> <li data-bbox="616 1077 1206 1373">(b) is approved by the Minister, in writing, for this section on the basis that the device: <ol style="list-style-type: none"> <li data-bbox="663 1149 1206 1270">(i) has been approved by the Minister, under rule 12 of the <i>Hearing Services Rules of Conduct 2005</i>, for fitting at no cost to participants; and</li> <li data-bbox="663 1279 1206 1373">(ii) is clinically necessary and appropriate to the participant's hearing loss, capacity to benefit from its use and life circumstances</li> </ol> </li> </ol> </li> <li data-bbox="592 1435 1206 1908">4. For a participant with type 1 hearing loss in at least 1 ear, provision of a hearing device for fitting in an ear with type 1 hearing loss, if that device: <ol style="list-style-type: none"> <li data-bbox="616 1543 1142 1606">(a) meets the specifications approved by the Minister; and</li> <li data-bbox="616 1615 1206 1908">(b) is approved by the Minister, in writing, for this section on the basis that the device: <ol style="list-style-type: none"> <li data-bbox="663 1686 1206 1839">(i) has been approved by the Minister, under rule 12 of the <i>Hearing Services Rules of Conduct 2005</i>, as a device for which the participant can be asked to make a payment to the provider; and</li> <li data-bbox="663 1848 1206 1908">(ii) is clinically suitable to the participant's hearing loss</li> </ol> </li> </ol> </li> </ol>

Column 1	Column 2
Class No. (by reference to Table A)	Description of available hearing services
	<i>Note</i> Subsection 7 (2) applies.
	5. For a participant with type 2 hearing loss in at least 1 ear and who meets the additional requirements set out in subsection 9(2), provision of a hearing device for fitting in an ear with type 2 hearing loss, if that device:
	(a) meets the specifications approved by the Minister; and
	(b) is approved by the Minister, in writing, for this section on the basis that the device:
	(i) has been approved by the Minister, under rule 12 of the <i>Hearing Services Rules of Conduct 2005</i> , for fitting at no cost to participants; and
	(ii) is clinically necessary and appropriate to the participant's hearing loss, capacity to benefit from its use and life circumstances
	6. For a participant with type 2 hearing loss in at least 1 ear and who meets the additional requirements set out in subsection 9(2), provision of a hearing device for fitting in an ear with type 2 hearing loss, if that device:
	(a) meets the specifications approved by the Minister; and
	(b) is approved by the Minister, in writing, for this section on the basis that the device:
	(i) has been approved by the Minister, under rule 12 of the <i>Hearing Services Rules of Conduct 2005</i> , as a device for which the participant can be asked to make a payment to the provider; and
	(ii) is clinically suitable to the participant's hearing loss
	<i>Note</i> Subsection 7 (2) applies.
	7. Replacement of a hearing device that has been lost, destroyed or damaged, if authorised by the Minister in accordance with section 10 of the <i>Hearing Services Voucher Rules 1997</i> .
	<i>Note</i> Subsection 7 (2A) applies.
	8. Services necessary to fit the selected hearing device

Column 1	Column 2
Class No. (by reference to Table A)	Description of available hearing services
3	<p>9. Necessary repairs and maintenance of the hearing device, including the reasonable provision of replacement batteries, for a period of 1 year</p> <p><i>Note</i> Subsection 7 (3) applies.</p> <p>1. Necessary repairs and maintenance of the hearing device, including the reasonable provision of replacement batteries, for a period of 1 year</p> <p><i>Note</i> Subsection 8 (2) applies.</p> <p>2. Replacement of a hearing device that has been lost, destroyed or damaged, if authorised by the Minister in accordance with section 10 of the <i>Hearing Services Voucher Rules 1997</i></p>
4	<p>Necessary repairs and maintenance of the hearing device, excluding the replacement of major electronic components within the device and provision of batteries for use with the device, for a period of 5 years from the date the participant ceased to be an eligible person.</p> <p><i>Note</i> For this item, necessary repairs and maintenance covers the following:</p> <ul style="list-style-type: none"> <li>• cleaning</li> <li>• replacement of minor parts, such as tubing</li> <li>• earmould renewal and repair.</li> </ul>

**[5] Subsection 7(2)**

*substitute*

The services specified in items 4 and 6 are available to a participant only if the participant agrees to accept personal responsibility for paying extra charges incurred because the participant chose a hearing device of a kind mentioned in those items.

**[6] Subsection 7(2A)**

*omit*

item 3B

*substitute*

item 7

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[7] **Subsection 7(3)**

*omit*

item 5

*substitute*

item 9

[8] **After section 8**

*insert*

**9. Additional requirements**

(1) In this section:

*class 1* means class 1 specified in Table A.

*class 2* means class 2 specified in Table A.

*item* means an item in column 2, in relation to class 1 or 2, in Table B.

(2) For items 5 and 6, the requirements are:

- (a) the participant receives a score of 5 or greater on the Wishes and Needs Tool with a score of 2 or greater for each response; and
- (b) the participant has:
  - (i) high frequency hearing loss averaging 40 decibels or greater when tested at 2, 3 and 4 kilohertz in the ear in which the hearing device is for fitting; or
  - (ii) tinnitus, the symptoms of which can be reduced through the use of the device; or
  - (iii) previously used a voucher to obtain a hearing device and can demonstrate to the satisfaction of a contracted service provider use of that device ; or
  - (iv) a visual impairment that reduces the ability to see mouth movements and is not able to be corrected by medical or optometrical treatment.