



## **Private Health Insurance (Prostheses) Amendment Rules 2010 (No.2)**

I, NICOLA ROXON, Minister for Health and Ageing, make these Rules under item 4 of the table in section 333-20 of the *Private Health Insurance Act 2007*.

Dated 15th December 2010

Nicola Roxon

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Nicola Roxon

Minister for Health and Ageing

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**1      Name of Rules**

These Rules are the *Private Health Insurance (Prostheses) Amendment Rules 2010 (No.2)*.

**2      Commencement**

These Rules commence on the day after registration.

**3      Amendments to the *Private Health Insurance (Prostheses Rules) 2010 (No.2)***

The Schedule amends the *Private Health Insurance (Prostheses) Rules 2010 (No. 2)*.

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<b>Schedule</b>	<b>Amendments to the <i>Private Health Insurance (Prostheses) Rules 2010 (No.2)</i></b> (rule 3)
<b>[1]</b>	<b>Part 1, rule 4, after the definition of <i>Act</i></b> <i>insert</i> <i>certified overnight Type C procedure</i> has the same meaning as in rule 3 of the Private Health Insurance (Benefit Requirements) Rules. <i>certified Type C procedure</i> has the same meaning as in rule 3 of the Private Health Insurance (Benefit Requirements) Rules. <i>consultant physician</i> has the same meaning as in subsection 3(1) of the <i>Health Insurance Act 1973</i> .
<b>[2]</b>	<b>Part 1, rule 4, after the definition of <i>gap permitted prosthesis</i></b> <i>insert</i> <i>implantable cardiac event recorder</i> includes a component of an implantable cardiac event recorder. <i>insulin infusion pump</i> includes a component of an insulin infusion pump. <i>listing application</i> has the same meaning as in subsection 72-10(6) of the Act. <i>listing criteria</i> has the same meaning as in subsection 72-10(6) of the Act.
<b>[3]</b>	<b>Part 1, rule 4, after the definition of <i>private hospital</i></b> <i>insert</i> <i>professional attendance</i> has the same meaning as in clause 1.2.3 of the <i>Health Insurance (General Medical Services Table) Regulations 2010</i> .
<b>[4]</b>	<b>Part 2, paragraph 5 (b)(ii)</b> <i>substitute</i> (ii) the provision of the prosthesis is associated with podiatric treatment by an accredited podiatrist; or
<b>[5]</b>	<b>Part 2, after paragraph 5(b)(ii)</b> <i>insert</i> (iii) for a prosthesis that is an insulin infusion pump: (A) the insulin infusion pump is provided during a professional service for which a medicare benefit is payable; and

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- (B) the professional service is a professional attendance by a consultant physician in the practice of his or her specialty; and
- (C) the professional service is provided as a certified Type C procedure or certified overnight Type C procedure; and
- (D) the insulin infusion pump is provided for the purpose of administering insulin; and

**[6] Part 2, subrule 5(c)**

*substitute*

- (c) rule 7 sets out the method for working out the minimum benefit and maximum benefit for hospital-substitute treatment, covered under a complying private health insurance policy, that is the provision of a listed prosthesis in circumstances where a medicare benefit is payable in respect of the professional service associated with the provision of the prosthesis; and

**[7] Part 2, after subrule 5(c)**

*insert*

- (d) rule 10 sets out listing criteria for the purposes of subsection 72-10(6) of the Act in relation to the granting of a listing application for listing of a kind of prosthesis on Part C of the Schedule.

**[8] Part 2, after rule 9**

*insert*

**10. Listing criteria for prostheses to be listed on Part C of the Schedule**

For a listing application to list a kind of prosthesis on Part C of the Schedule, the listing criteria are that the kind of prosthesis is an:

- (i) insulin infusion pump; or
- (ii) implantable cardiac event recorder.

Note: The Minister may refuse to grant a listing application even if the listing criteria are satisfied.

**[9] Schedule, after Part B, page 15 of 15**

*insert as heading*

**Part C – Other Prostheses Subject to Listing Criteria**

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**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See [www.frl.gov.au](http://www.frl.gov.au)