



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

Nicola Roxon

Minister for Health and Ageing

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)*.

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

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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

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.frli.gov.au