

EXPLANATORY STATEMENT

Select Legislative Instrument 2011 No. 28

Health Insurance Act 1973

Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2011 (No. 1)

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

Subsection 4AA(1) of the Act provides that the regulations may prescribe a table of diagnostic imaging services, the amount of fees applicable in respect of each item and the rules for interpretation of the table. Schedule 1 to the *Health Insurance (Diagnostic Imaging Services Table) Regulations 2010* (the Principal Regulations) prescribes such a table.

The primary purpose of the Regulations is to remove the requirement for the Magnetic Resonance Imaging (MRI) unit - situated at Orana Radiology in Dubbo – to be available at all times for the provision of emergency services.

The removal of this requirement from Schedule 1 to the Principal Regulations reduces Orana Radiology's operating costs which will assist it in providing MRI services to the community of Dubbo.

This amendment also corrects the spelling of the heading in Group I2 from *computed tornography* to *computed tomography*.

This amendment to the Principal Regulations directly affects one provider of MRI services, Orana Services Pty Ltd. The Department of Health and Ageing consulted with this stakeholder in crafting the amendment. More broader consultation in this instance was not required.

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 the day after registration on the Federal Register of Legislative Instruments.