

EXPLANATORY STATEMENT

Veterans' Entitlements (Treatment Principles - Minor & Technical Variations (No.2)) Instrument 2011

EMPOWERING PROVISION

Section 90 of the *Veterans' Entitlements Act 1986* (the Act).

PURPOSE

The attached instrument (R47/2011) amends the *Treatment Principles*.

The *Treatment Principles* (the Principles) is a legislative instrument made under section 90 of the Act and sets out the circumstances in which the Repatriation Commission (Commission) may accept financial responsibility for treatment provided to veterans or their dependants (entitled persons).

The purpose of the attached instrument is to:

- update the reference to a fee document under the Coordinated Veterans' Care Program (a treatment program under the Principles);
- update references to incorporated documents generally (external documents incorporated by reference into the Principles);
- rectify drafting errors.

RETROSPECTIVE

The attached instrument could commence before registration. If that occurs subsection 12(2) of the *Legislative Instruments Act 2003* (legislative instrument of no effect if it takes effect before registration and disadvantages a person or imposes liabilities on a person) would not be contravened because the instrument is benevolent in nature.

CONSULTATION

No because the issues are minor and technical.

DOCUMENTS INCORPORATED-BY-REFERENCE

Yes. The following non-legislative documents are incorporated in the Principles by the attached instrument as they exist on 1 November 2011:

1. Notes for Local Medical Officers (paragraph 1.4.1);
2. Department of Veterans' Affairs Fee Schedules for Medical Services (paragraph 3.5.1);
3. Notes for Allied Health Providers (paragraphs 3.5.1 and 7.1A.1);
4. Optometrist Fees for Consultation (paragraph 3.5.1);
5. DVA Schedule of Fees Orthoptists (paragraph 3.5.1);
6. Pricing Schedule for visual aids (paragraph 3.5.1);
7. The fourth edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (commonly known as DSM-IV) (paragraph 2.4.2A);
8. Fee Schedule of Dental Services for Dentists and Dental Specialists (paragraph 3.5.1);
9. Fee Schedule of Dental Services for Dental Prosthetists (paragraph 3.5.1);
10. Chiropractors Schedule of Fees (paragraph 3.5.1);
11. Diabetes Educators Schedule of Fees (paragraph 3.5.1);
12. Dietitians Schedule of Fees (paragraph 3.5.1);
13. Exercise Physiologists Schedule of Fees (paragraph 3.5.1);
14. Occupational Therapists Schedule of Fees (paragraph 3.5.1);
15. Osteopaths Schedule of Fees (paragraph 3.5.1);
16. Physiotherapists Schedule of Fees (paragraph 3.5.1);
17. Psychologists Schedule of Fees (paragraph 3.5.1);
18. Podiatrists Schedule of Fees (paragraph 3.5.1);
19. Social Workers Schedule of Fees (paragraph 3.5.1);
20. Clinical Counsellors Schedule of Fees (paragraph 3.5.1);
21. Speech Pathologists Schedule of Fees (paragraph 3.5.1);
22. Australian Government Department of Veterans' Affairs Classification System and Schedule of Item Numbers and Fees — Community Nursing Services;
23. Notes for Coordinated Veterans' Care Program Providers;
24. Rehabilitation Appliances Program (RAP) National Guidelines (paragraph 11.2A.1);
25. RAP National Schedule of Equipment (paragraph 11.2A.1).

At the time the attached instrument was made, all the documents, except the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, were available on the Internet (Department of Veterans' Affairs web page – under Health – Doctors/Health Care Professionals):

<http://www.dva.gov.au/>

and at the time the attached instrument was made all the documents were available, or could be made available, at:

Department of Veterans' Affairs (ACT Office), Lovett Tower, 13 Keltie St, Woden ACT 2606 / GPO Box 9998 Woden ACT 2606.

Tel.no:(02) 6289 6243.

Any State or Territory Office of the Department of Veterans' Affairs:

Tel.no: 133 254.

FURTHER EXPLANATION

Attachment A.

Attachment A

Items	Explanation
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| [1] | sets out the name of the instrument. |
| [2] | provides that the instrument commences, or is taken to have commenced, on 1 November 2011. |

Schedule

- 1, 6 amend the Principles to reflect the changed fee document under the Coordinated Veterans' Care Program.

Previously the relevant fees were set out in the document called: "the Repatriation Medical Fee Schedule in the DVA document entitled: 'Department of Veterans' Affairs Fee Schedules for Medical Services' ". The fees are now set out in the DVA (Department of Veterans' Affairs) document entitled: the "Department of Veterans' Affairs Fee Schedules for Medical Services". Accordingly the Treatment Principles have been amended to provide that the relevant fees are now set out in the "Department of Veterans' Affairs Fee Schedules for Medical Services".

- 7 updates references in the Principles to certain external documents that are incorporated-by-reference into the Principles so that the latest versions of those documents become part of the Principles.

Remainder – rectify minor drafting errors.