



Australian Government

Veterans' Entitlements Act 1986
Military Rehabilitation and Compensation Act 2004
Australian Participants in British Nuclear Tests (Treatment) Act 2006

**Veterans' Affairs (Treatment Principles – TRCP
Treatment and Updating of RAP Schedules) Amendment
Instrument 2015**

Instrument 2015 No.R29/MRCC29

The Repatriation Commission (RC) makes the legislative instrument in Schedule 1 under subsection 90(4) of the *Veterans' Entitlements Act 1986* (VEA) and makes the legislative instrument in Schedule 3 under subsection 16(6) of the *Australian Participants in British Nuclear Tests (Treatment) Act 2006* (APBNT(T)A).

The Military Rehabilitation and Compensation Commission (MRCC) makes the legislative instrument in Schedule 2 under subsection 286(2) of the *Military Rehabilitation and Compensation Act 2004* (MRCA).

Dated this 5th day of May 2015

The Seals of the)
Repatriation Commission and) SEAL
Military Rehabilitation and Compensation Commission) SEAL
were affixed hereto in the)
presence of:)

Simon Lewis

Jennifer Collins

Major General Mark Kelly

.....
SIMON LEWIS

JENNIFER COLLINS

MAJOR GENERAL MARK KELLY

AO DSC

RC PRESIDENT/MRCC CHAIR

RC COMMISSIONER/MRCC MEMBER

A/RC DEPUTY PRESIDENT/MRCC MEMBER

Rear Admiral Robyn Walker

Jennifer Taylor

Air Vice-Marshal Tony Needham

.....
REAR ADMIRAL ROBYN WALKER

MS JENNIFER TAYLOR

AIR VICE-MARSHAL TONY NEEDHAM

AM RN

AM

MRCC MEMBER

MRCC MEMBER

MRCC MEMBER

Name

- 1 This instrument is the *Veterans' Affairs (Treatment Principles – TRCP Treatment and Updating of RAP Schedules) Amendment Instrument 2015*.

Commencement

- 2 This instrument commences on the day after registration.

Authority

- 3 This instrument is made under the *Veterans' Entitlements Act 1986*, the *Military Rehabilitation and Compensation Act 2004* and the *Australian Participants in British Nuclear Tests (Treatment) Act 2006*.

Schedules

- 4 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1

The *Treatment Principles* (Instrument 2013 No. R52) is varied in accordance with Part A.

Part A

Variations to the Treatment Principles

1 Paragraph 1.4.1 (definitions of “Board of Management”, “Centre for Military and Veterans’ Health” and “CMVH treatment”)

omit.

2 Paragraph 1.4.1 (definitions)

insert:

“**TRCP treatment**” means action taken by a *TRCP provider* with a view to maintaining an *entitled person* in physical or mental health and comprised of:

- (a) Training members of the Defence Force in the health care disciplines that could benefit the health of *entitled persons*;
- (b) Researching injuries, diseases and the state of health of members of the Defence Force for the purpose of using the findings to improve the health care of *entitled persons*;
- (c) Communication-improvement on health care matters between members of the Defence Force who are staff-managers and *entitled persons*; and
- (d) Policy development for strategies and programs relating to the health-care needs of members of the Defence Force that could benefit the health of *entitled persons*.

Note 1: under subsection 80(1) of the *Act* treatment is broadly defined and includes action taken with a view to maintaining a person in physical or mental health.

Note 2: pursuant to a determination under s.88A of the *Act*, *TRCP treatment* may be provided for any condition of a veteran, a member or former member under MRCA, not just a service-related condition. TRCP treatment may also be provided under the same determination to a dependant of a veteran or to a dependant of a member or former member.

“**TRCP provider**” means a person with expertise in the areas of education and research in relation to health care who has entered into an arrangement with the *Commission* to provide *TRCP treatment*.

Note: in practice the person is likely to be the body corporate of a University.

3 Paragraph 1.4.1 (definitions)

at the end, add:

The following terms are defined in the *Act*:

- Defence Force (s.5C(1))
- member of the Defence Force (s.5C(1), s.5C(2))

4 Paragraphs 2.7A and 2.7A.1

substitute, respectively:

2.7A—TRCP treatment (Training, Research, Communication-improvement, Policy Development for ADF-Veterans’ etc Health Issues)

2.7A.1 The *Commission* may accept financial responsibility for *TRCP treatment* provided by a *TRCP provider*.

Note (1): under subsection 80(1) of the *Act* treatment is defined broadly and can include action taken with a view to maintaining a person in physical or mental health.

Note (2): *TRCP treatment* is defined in paragraph 1.4.1 and, generally speaking, is action taken by an education and research facility pursuant to an arrangement with the *Commission* to inquire into issues associated with the health of Defence Force members which could have a benefit for the health care of veterans and dependants of veterans, under the *Act*, and members and dependants of members or former members, under the MRCA.

Note (3): under s.88A(1)(d) of the *Veterans’ Entitlements Act 1986* (VEA) a determination may be made granting eligibility for treatment under the VEA to “a person”. A determination has been made granting eligibility for *TRCP treatment* under the VEA to a member or former member under MRCA and to a dependant of a member or former member.

Note (4): prior approval for *TRCP treatment* is not required.

5 Schedule 1

substitute:

SCHEDULE 1 DATES FOR INCORPORATED DOCUMENTS
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The date for :

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 fifth edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (commonly known as DSM-5) (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 (paragraph 6A.4.2(b));
23. Notes for Coordinated Veterans' Care Program Providers (Part 6A);
24. Rehabilitation Appliances Program (RAP) National Guidelines (paragraph 11.2A.1);
25. RAP National Schedule of Equipment (paragraph 11.2A.1);
26. Veterans and Veterans Families Counselling Services (VVCS) Outreach Program Counsellors (OPC) Provider Notes (paragraph 1.4.1 and 7.1A.1);
27. Veterans and Veterans Families Counselling Service (VVCS) Outreach Program Counsellors (OPC) Schedule of Fees (paragraph 3.5.1);
28. General information about VVCS – Veterans and Veterans Families Counselling Service (paragraph 1.4.1);
29. Better Access to Psychiatrists, Psychologists & General Practitioners through the Medical Benefits Schedule Initiative

<http://www.health.gov.au/internet/mentalhealth/publishing.nsf/Content/better-access-through-mbs-1>;
30. Gold Card (paragraph 1.4.1);
31. White Card (paragraph 1.4.1).

is 1 May 2015.

Schedule 2

The *MRCAs Treatment Principles* (Instrument 2013 No. MRCC53) is varied in accordance with Part A.

Part A

Variations to the MCRA Treatment Principles

1 Paragraph 1.4.1 (definitions of “Centre for Military and Veterans’ Health” and “CMVH treatment”)

omit.

2 Paragraph 1.4.1 (definitions)

insert:

“**TRCP treatment**” has the meaning it has in the *Treatment Principles*.

Note: under s.88A(1)(d) of the *Veterans’ Entitlements Act 1986* (VEA) a determination may be made granting eligibility for treatment under the VEA to “a person”. A determination has been made granting eligibility for *TRCP treatment* under the VEA to a member or former member under MRCA and to a dependant of a member or former member.

3 Paragraph 1.4.1 (definition of “SRCA disability” – Note 2)

substitute:

Note 2: Section 280A of the *Act* provides eligibility for treatment of a person with an injury under the *Safety, Rehabilitation and Compensation Act 1988*.

4 Paragraph 1.4.1 (definitions)

at the end, add:

The following terms are defined in the *Act*:

- Defence Force (s.5(1))
- member (s.5(1))

5 Paragraphs 2.7A and 2.7A.1

substitute, respectively:

2.7A—TRCP treatment (Training, Research, Communication-improvement, Policy Development for ADF-Members’ etc Health Issues)

Note: This provision is for information only. *TRCP treatment* is provided to members and former members and certain dependants under the *Treatment Principles* under the *Veterans’ Entitlements Act 1986* pursuant to a determination under s.88A(1)(d) of that Act.

6 Schedule 1

substitute:

SCHEDULE 1 DATES FOR INCORPORATED DOCUMENTS
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The date for :

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. Fee Schedule of Dental Services for Dentists and Dental Specialists (paragraph 3.5.1);
8. Fee Schedule of Dental Services for Dental Prosthetists (paragraph 3.5.1);
9. Chiropractors Schedule of Fees (paragraph 3.5.1);
10. Diabetes Educators Schedule of Fees (paragraph 3.5.1);
11. Dietitians Schedule of Fees (paragraph 3.5.1);
12. Exercise Physiologists Schedule of Fees (paragraph 3.5.1);
13. Occupational Therapists Schedule of Fees (paragraph 3.5.1);
14. Osteopaths Schedule of Fees (paragraph 3.5.1);

15. Physiotherapists Schedule of Fees (paragraph 3.5.1);
16. Psychologists Schedule of Fees (paragraph 3.5.1);
17. Podiatrists Schedule of Fees (paragraph 3.5.1);
18. Social Workers Schedule of Fees (paragraph 3.5.1);
19. Clinical Counsellors Schedule of Fees (paragraph 3.5.1);
20. Speech Pathologists Schedule of Fees (paragraph 3.5.1);
21. Australian Government Department of Veterans' Affairs Classification System and Schedule of Item Numbers and Fees — Community Nursing Services (paragraph 6A.4.2(b));
22. Notes for Coordinated Veterans' Care Program Providers (Part 6A);
23. Rehabilitation Appliances Program (RAP) National Guidelines (paragraph 11.2A.1);
24. RAP National Schedule of Equipment (paragraph 11.2A.1);
25. Veterans and Veterans Families Counselling Services (VVCS) Outreach Program Counsellors (OPC) Provider Notes (paragraph 1.4.1 and 7.1A.1);
26. Veterans and Veterans Families Counselling Service (VVCS) Outreach Program Counsellors (OPC) Schedule of Fees (paragraph 3.5.1);
27. General information about VVCS – Veterans and Veterans Families Counselling Service (paragraph 1.4.1);
28. Better Access to Psychiatrists, Psychologists & General Practitioners through the Medical Benefits Schedule Initiative:

<http://www.health.gov.au/internet/mentalhealth/publishing.nsf/Content/better-access-through-mbs-1>;

29. Gold Card (paragraph 1.4.1);

30. White Card (paragraph 1.4.1);

is 1 May 2015.

Schedule 3

The Treatment Principles (Australian Participants in British Nuclear Tests) 2006 (Instrument 2013 No. R54) is varied in accordance with Part A.

Part A

Variation to the Treatment Principles (Australian Participants in British Nuclear Tests) 2006

1. 59. Schedule 1

substitute:

59. Schedule 1

substitute:

SCHEDULE 1 DATES FOR INCORPORATED DOCUMENTS
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The date for :

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. Fee Schedule of Dental Services for Dentists and Dental Specialists (paragraph 3.5.1);
8. Fee Schedule of Dental Services for Dental Prosthetists (paragraph 3.5.1);
9. Chiropractors Schedule of Fees (paragraph 3.5.1);

10. Diabetes Educators Schedule of Fees (paragraph 3.5.1);
11. Dietitians Schedule of Fees (paragraph 3.5.1);
12. Exercise Physiologists Schedule of Fees (paragraph 3.5.1);
13. Occupational Therapists Schedule of Fees (paragraph 3.5.1);
14. Osteopaths Schedule of Fees (paragraph 3.5.1);
15. Physiotherapists Schedule of Fees (paragraph 3.5.1);
16. Psychologists Schedule of Fees (paragraph 3.5.1);
17. Podiatrists Schedule of Fees (paragraph 3.5.1);
18. Social Workers Schedule of Fees (paragraph 3.5.1);
19. Clinical Counsellors Schedule of Fees (paragraph 3.5.1);
20. Speech Pathologists Schedule of Fees (paragraph 3.5.1);
21. Australian Government Department of Veterans' Affairs
Classification System and Schedule of Item Numbers and
Fees — Community Nursing Services;
22. Rehabilitation Appliances Program (RAP) National
Guidelines (paragraph 11.2A.1);
23. RAP National Schedule of Equipment (paragraph 11.2A.1);
24. White Card (paragraph 1.4.1);

is 1 May 2015.