



Australian Government

## Veterans' Entitlements (Treatment Principles – Streamlining Access to Non-Liability Health Care) Amendment Instrument 2016

Instrument 2016 No.R16

I, Dan Tehan, Minister for Veterans' Affairs, under subsection 90(5) of the *Veterans' Entitlements Act 1986*, approve the variations to the *Treatment Principles* by the Repatriation Commission in the following instrument.

Dated this 1<sup>st</sup> day of May 2016

Dan Tehan

**DAN TEHAN**

The Repatriation Commission, under subsection 90(4) of the *Veterans' Entitlements Act 1986*, makes the variations to the *Treatment Principles* in the following instrument.

Dated this 15<sup>th</sup> day of April 2016

The Seal of the  
Repatriation Commission  
was affixed hereto in the  
presence of:

)  
) SEAL  
)  
)

Simon Lewis

Major General Mark Kelly

.....  
SIMON LEWIS

MAJOR GENERAL MARK KELLY

PRESIDENT

AO DSC  
COMMISSIONER

## **Name**

- 1 This instrument is the *Veterans' Entitlements (Treatment Principles – Streamlining Access to Non-Liability Health Care) Amendment Instrument 2016*.

## **Commencement**

- 2 This instrument commences on the day after it is registered.

## **Authority**

- 3 This instrument is made under subsection 90(4) of the *Veterans' Entitlements Act 1986*.

## **Schedule**

- 4 The *Treatment Principles* (Instrument 2013 No. R52) are varied in accordance with the items in the Schedule.

## Schedule

### Variations to the Treatment Principles (Instrument 2013 No. R52)

#### 1 Paragraph 1.4.1 (definitions)

*omit the definition of “general practitioner”, substitute:*

**“general practitioner”** means a person who is a medical practitioner as defined in these Principles whether or not the person is registered under the *Health Insurance Act 1973* as a vocationally registered general practitioner.

Note: Paragraph 2.4.2A of these Principles provides for a general practitioner, amongst others, to make a diagnosis of post-traumatic stress disorder, alcohol use disorder or substance use disorder in the context of the provision of non-liability health care treatment for veterans.

#### 2 Paragraph 1.4.1 (definitions)

*omit the definition of “eligible person”, substitute:*

**“eligible person”** has the same meaning that it has in subsection 90(8) of the Act.

#### 3 Paragraph 1.4.1 (definitions)

*omit the definition of “White Card”, substitute:*

**"White Card"** means the identification card provided by the *Department* to a person who is eligible under the *Act* for treatment, subject to these Principles and any determination under section 88A of the *Act*, for one or more of the following conditions:

- (a) a *determined condition* (other than an unidentifiable condition);
- (b) a *SRCA disability*;
- (c) alcohol use disorder;
- (d) anxiety disorder;

- (e) depressive disorder;
- (f) malignant neoplasia;
- (g) post-traumatic stress disorder;
- (h) pulmonary tuberculosis;
- (i) substance use disorder;
- (j) *war-caused* injury;
- (k) *war-caused* disease;

and also means a written authorisation issued on behalf of the *Commission* under subparagraph 2.1.1(a)(iii) and provided to a person who is eligible under the *Act* for treatment, subject to these *Principles* and any determination under section 88A of the *Act*, of the following condition:

(l) unidentifiable condition.

**Note:** an "unidentifiable condition" is governed by section 9 of Instrument 2015 No. R21.

## 4 Paragraph 1.4.1 (definitions)

*insert:*

**“alcohol use disorder”** is the disorder described as an alcohol use disorder in paragraph 3(b) of *Statement of Principles* No. 1/2009 or in paragraph 3(b) of *Statement of Principles* No. 2/2009 in force from time to time; or as described as alcohol use disorder in any subsequent *Statement of Principles* in force from time to time.

**“anxiety disorder”** is the disorder described as an anxiety disorder in paragraph 3(b) of *Statement of Principles* No. 102/2014 or in paragraph 3(b) of *Statement of Principles* No. 103/2014 in force from time to time; or as described as an anxiety disorder in any subsequent *Statement of Principles* in force from time to time.

**“depressive disorder”** is the disorder described as a depressive disorder in paragraph 3(b) of *Statement of Principles* No. 83/2015 or in paragraph 7(2) of *Statement of Principles* No. 84/2015 in force from time to time; or

as described as a depressive disorder in any subsequent *Statement of Principles* in force from time to time.

**“post-traumatic stress disorder”** is the disorder described as post-traumatic stress disorder in paragraph 3(b) of *Statement of Principles* No. 82/2014 or in paragraph 3(b) of *Statement of Principles* No. 83/2014 in force from time to time; or as described as post-traumatic stress disorder in any subsequent *Statement of Principles* in force from time to time.

**“substance use disorder”** is the disorder described as substance use disorder in paragraph 3(b) of *Statement of Principles* No. 3 of 2009 or in paragraph 3(b) of *Statement of Principles* No. 4/2009 in force from time to time; or as described as substance use disorder in any subsequent *Statement of Principles* in force from time to time.

## **5 Paragraph 2.4**

*omit the heading, substitute:*

**2.4 Treatment of malignant neoplasia, pulmonary tuberculosis and mental health conditions for veterans.**

## **6 Paragraph 2.5.1**

*after the paragraph, insert:*

Note: The *Veterans' Entitlements Treatment (Anxiety and Depressive Disorders) Determination* (Instrument 2015 No. R13), for example, establishes eligibility for veterans for treatment of anxiety disorder, depressive disorder, or both, on a non-liability health care basis.

## **7 Paragraph 2.5.1**

*omit:*

*veteran*

*substitute:*

person

## 8 Paragraph 2.5.1

*after paragraph 2.5.1, insert:*

### **2.5A Treatment of mental health conditions for peacetime service personnel**

2.5A.1 The *Commission* will provide, arrange, or accept financial responsibility for a *peacetime service person* for the treatment of the *peacetime service person's mental health condition* irrespective of whether the person's *mental health condition* is a service-related condition.

2.5A.2 Continuing financial responsibility for treatment under paragraph 2.5A.1 may be reviewed and may be withdrawn by the *Commission* if the *Commission* is satisfied that the *peacetime service person* does not suffer, or no longer suffers, any incapacity from the *mental health condition* for which financial responsibility was provided, arranged or accepted under paragraph 2.5A.1.

2.5A.3 The *Commission* will provide, arrange, or accept financial responsibility for a *peacetime service person* for the reasonable treatment of an injury or disease that is not service-related to the extent that it is a necessary part of, and is directly associated with, the treatment of the *peacetime service person's mental health condition* in respect of which financial responsibility was provided, arranged or accepted under paragraph 2.5A.1.

2.5A.4 In paragraph 2.5A:  
“**peacetime service person**” means a person who falls within a class of persons specified in Part 2 of the *Veterans' Affairs (Peacetime Service Eligibility for Non-Liability Health Care) Instrument 2014* (Instrument No. 2014 R18), as in force from time to time; and

**“mental health condition”** means *anxiety disorder, depressive disorder, post-traumatic stress disorder, alcohol use disorder or substance use disorder*, as the case requires, and as defined in these Principles.

Note: Other matters dealing with the provision of non-liability health care treatment for peacetime service persons are dealt with in the *Veterans’ Affairs (Peacetime Service Eligibility for Non-Liability Health Care) Instrument 2014* (Instrument No. 2014 R18).