

**Health Insurance (Extended Medicare Safety Net) Determination 2017**

made under section 10B of the

Health Insurance Act 1973

**Compilation No. 1**

**Compilation date:** 1 January 2019

**Includes amendments up to:** Health Insurance (Extended Medicare Safety Net) Amendment Determination 2019

Prepared by the Department of Health, Canberra

**About this compilation**

**This compilation**

This is a compilation of the *Health Insurance (Extended Medicare Safety Net) Determination 2017* that shows the text of the law as amended and in force on 1 January 2019 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

**Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

**Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

**Modifications**

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

**Self‑repealing provisions**

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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# 1 Name of Determination

 This Determination is the *Health Insurance (Extended Medicare Safety Net) Determination 2017*.

# 2 Commencement

Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The later of:(a) 1 November 2017; and(b) the day after this instrument has been approved by each House of Parliament.However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. |  |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

 (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

# 3 Definitions

 In this Determination:

***Act*** means the *Health Insurance Act 1973*.

***diagnostic imaging services table*** means the table prescribed under section 4AA of the Act.

***general medical services table*** means the table prescribed under section 4 of the Act.

***Schedule fee*** has the meaning given in subsection 8 (1A) of the Act.

# 4. Maximum increases for items under sections 10ACA and 10ADA of the Act

 (1) For section 10B of the Act:

 (a) subsections 10ACA(7A) and 10ADA(8A) apply to the items of the general medical services table listed in column 1 of the table below; and

 (b) the maximum increases for these items are listed in column 2.

| Item | Maximum increase ($) |
| --- | --- |
| 13200 | 1 675.50 |
| 13201 | 2 432.15 |
| 13202 | 64.95 |
| 13203 | 108.15 |
| 13206 | 64.95 |
| 13209 | 10.90 |
| 13210 | 5.30 |
| 13212 | 70.35 |
| 13215 | 48.70 |
| 13218 | 702.65 |
| 13221 | 21.70 |
| 13251 | 108.15 |
| 13260 | 65 percent of the Schedule fee for the item |
| 14201 | 15 percent of the Schedule fee for the item |
| 14202 | 15 percent of the Schedule fee for the item |
| 16399 | 24.10 |
| 16400 | 11.05 |
| 16401 | 54.90 |
| 16404 | 32.95 |
| 16406 | 108.15 |
| 16407 | 65 percent of the Schedule fee for the item |
| 16408 | 65 percent of the Schedule fee for the item |
| 16500 | 32.95 |
| 16501 | 65.90 |
| 16502 | 22.00 |
| 16504 | 22.00 |
| 16505 | 22.00 |
| 16508 | 22.00 |
| 16509 | 22.00 |
| 16511 | 109.75 |
| 16512 | 32.95 |
| 16514 | 16.55 |
| 16515 | 175.60 |
| 16518 | 175.60 |
| 16519 | 329.15 |
| 16520 | 329.15 |
| 16522 | 438.90 |
| 16527 | 175.60 |
| 16528 | 329.15 |
| 16530 | 65 percent of the Schedule fee for the item |
| 16531 | 65 percent of the Schedule fee for the item |
| 16533 | 65 percent of the Schedule fee for the item |
| 16534 | 65 percent of the Schedule fee for the item |
| 16564 | 219.45 |
| 16567 | 219.45 |
| 16570 | 219.45 |
| 16571 | 219.45 |
| 16573 | 219.45 |
| 16590 | 219.45 |
| 16591 | 109.75 |
| 16600 | 32.95 |
| 16603 | 65.90 |
| 16606 | 131.75 |
| 16609 | 252.40 |
| 16618 | 104.30 |
| 16624 | 142.65 |
| 16627 | 307.25 |
| 32500 | 110 percent of the Schedule fee for the item |
| 32520 | 15 percent of the Schedule fee for the item |
| 32522 | 10 percent of the Schedule fee for the item  |
| 32523 | 15 percent of the Schedule fee for the item |
| 32526 | 10 percent of the Schedule fee for the item |
| 32528 | 15 percent of the Schedule fee for the item |
| 32529 | 10 percent of the Schedule fee for the item |
| 42505 | 15 percent of the Schedule fee for the item |
| 42702 | 15 percent of the Schedule fee for the item  |
| 42705 | 15 percent of the Schedule fee for the item |
| 45560 | 35 percent of the Schedule fee for the item |
| 82100 | 21.70 |
| 82105 | 16.30 |
| 82110 | 21.70 |
| 82115 | 54.10 |
| 82130 | 16.30 |
| 82135 | 21.70 |
| 82140 | 16.30 |

*Note*Items 82100, 82105, 82110, 82115, 82130, 82135 and 82140 appear in the determination made under subsection 3C(1) of the Act with respect to midwife and nurse practitioner services. The determination operates so that the items are to be treated as if the items were in the general medical services table.

 (2) For section 10B of the Act:

 (a) subsections 10ACA(7A) and 10ADA(8A) apply to items 11700, 14100, 20142, 30071, 31560, 32504, 32507, 34106, 35533, 37619, 42590, 42738, 42739, 42740, 45003, 45025, 45026, 45200, 45203, 45206, 45545, 45584, 45585, 45587, 45614, 45617, 45620, 45623, 45624, 45632, 45635, 45652 and 45659 of the general medical services table; and

 (b) the maximum increase for each item is 80 percent of the Schedule fee for that item.

 (3) For section 10B of the Act:

 (a) subsections 10ACA(7A) and 10ADA(8A) apply to each item in the Group of the general medical services table listed in the column of the table below; and

 (b) the maximum increase for each item is 300 percent of the Schedule fee for that item or $500.00 for that item whichever represents the lesser amount.

| **Group** |
| --- |
| A1 |
| A2 |
| A3 |
| A4 |
| A5 |
| A6 |
| A7 |
| A8 |
| A9 |
| A11 |
| A12 |
| A13 |
| A14 |
| A15 |
| A17 |
| A18 |
| A19 |
| A20 |
| A21 |
| A22 |
| A23 |
| A24 |
| A26 |
| A27 |
| A28 |
| A29 |
| A30 |
| T6 |

*Note:* Items 179 to 212 in group A7 appear in the determination made under subsection 3C(1) of the Act with respect to other medical practitioner services. The determination operates so that the items are to be treated as if the items were in the general medical services table.

(4) For section 10B of the Act:

(a) subsections 10ACA(7A) and 10ADA(8A) apply to each item in the Group of the general medical services table listed in the column of the table below; and

(b) the maximum increase for each item is 300 percent of the Schedule fee for that item or $500.00 for that item whichever represents the lesser amount.

| **Group** |
| --- |
| M3 |
| M6 |
| M7 |
| M8 |
| M9 |
| M10 |
| M11 |
| M12 |
| M14 |
| M15 |

*Notes*Items in groups M3, M6, M7, M8, M9, M10, M11 and M15 appear in the determination made under subsection 3C(1) of the Act with respect to allied health services. The determination operates so that the items are to be treated as if the items were in the general medical services table.

Items in group M14 appear in the determination made under subsection 3C(1) of the Act with respect to midwife and nurse practitioner services. The determination operates so that the items are to be treated as if the items were in the general medical services table.

 (5) For section 10B of the Act:

 (a) subsections 10ACA(7A) and 10ADA(8A) apply to items 82120, 82125, 82150, 82151, and 82152 of the general medical services table; and

 (b) the maximum increase for each item is 300 percent of the Schedule fee for that item or $500.00 for that item whichever represents the lesser amount.

*Note*Items 82120, 82125, and 82150-82152 appear in the determination made under subsection 3C(1) of the Act with respect to midwife and nurse practitioner services. The determination operates so that the items are to be treated as if the items were in the general medical services table.

 (6) For section 10B of the Act:

 (a) subsections 10ACA(7A) and 10ADA(8A) apply to the items of the diagnostic imaging services table listed in column 1 of the table below; and

 (b) the maximum increases for these items are listed in column 2.

| Item | Maximum increase ($) |
| --- | --- |
| 55054 | 80 percent of the Schedule fee for the item. |
| 55700 | 32.95 |
| 55701 | 16.50 |
| 55702 | 8.30 |
| 55703 | 16.55 |
| 55704 | 38.50 |
| 55705 | 16.55 |
| 55706 | 54.90 |
| 55707 | 38.50 |
| 55708 | 16.55 |
| 55709 | 22.00 |
| 55710 | 19.30 |
| 55711 | 8.30 |
| 55712 | 65.90 |
| 55713 | 27.50 |
| 55714 | 19.30 |
| 55715 | 22.00 |
| 55716 | 8.30 |
| 55717 | 11.05 |
| 55718 | 54.90 |
| 55719 | 32.95 |
| 55720 | 11.05 |
| 55721 | 65.90 |
| 55722 | 27.50 |
| 55723 | 22.00 |
| 55724 | 32.95 |
| 55725 | 22.00 |
| 55726 | 11.05 |
| 55727 | 11.05 |
| 55729 | 16.55 |
| 55730 | 8.30 |
| 55762 | 32.95 |
| 55763 | 16.50 |
| 55764 | 87.85 |
| 55765 | 44.00 |
| 55766 | 32.95 |
| 55767 | 16.50 |
| 55768 | 82.40 |
| 55769 | 41.25 |
| 55770 | 32.95 |
| 55771 | 16.50 |
| 55772 | 87.85 |
| 55773 | 44.00 |
| 55774 | 38.50 |
| 55775 | 19.30 |

*Note*Items 55701, 55702, 55710, 55711, 55713, 55714, 55716, 55717, 55719, 55720, 55722, 55724, 55726, 55727, 55730, 55763, 55765, 55767, 55769, 55771, 55773 and 55775 appear in the determination made under subsection 3C(1) of the Act in relation to diagnostic imaging and capital sensitivity services. The determination operates so that the items are to be treated as if the items were in the diagnostic imaging services table.

# 5. Repeal

This Determination repeals the *Health Insurance (Extended Medicare Safety Net) Determination 2009.*

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

**Abbreviation key—Endnote 2**

The abbreviation key sets out abbreviations that may be used in the endnotes.

**Legislation history and amendment history—Endnotes 3 and 4**

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

**Misdescribed amendments**

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

|  |  |
| --- | --- |
|  | o = order(s) |
| ad = added or inserted | Ord = Ordinance |
| am = amended | orig = original |
| amdt = amendment | par = paragraph(s)/subparagraph(s) |
| c = clause(s) |  /sub‑subparagraph(s) |
| C[x] = Compilation No. x | pres = present |
| Ch = Chapter(s) | prev = previous |
| def = definition(s) | (prev…) = previously |
| Dict = Dictionary | Pt = Part(s) |
| disallowed = disallowed by Parliament | r = regulation(s)/rule(s) |
| Div = Division(s) |  |
| exp = expires/expired or ceases/ceased to have | reloc = relocated |
|  effect | renum = renumbered |
| F = Federal Register of Legislation | rep = repealed |
| gaz = gazette | rs = repealed and substituted |
| LA = *Legislation Act 2003* | s = section(s)/subsection(s) |
| LIA = *Legislative Instruments Act 2003* | Sch = Schedule(s) |
| (md) = misdescribed amendment can be given | Sdiv = Subdivision(s) |
|  effect | SLI = Select Legislative Instrument |
| (md not incorp) = misdescribed amendment | SR = Statutory Rules |
|  cannot be given effect | Sub‑Ch = Sub‑Chapter(s) |
| mod = modified/modification | SubPt = Subpart(s) |
| No. = Number(s) | underlining = whole or part not |
|  |  commenced or to be commenced |

Endnote 3—Legislation history

| Name | Registration | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- |
| Health Insurance (Extended Medicare Safety Net) Determination 2017 | 24 Aug 2017 (*see* F2017L01082) | 1 November 2017 |  |
| Health Insurance (Extended Medicare Safety Net) Amendment Determination 2019 | 30 Oct 2018 (*see* F2018L01502) | 1 January 2019 |  |

Endnote 4—Amendment history

| Provision affected | How affected |
| --- | --- |
| 4(1)…………………………. | am F2018L01502 |
| 4(2)(a)……………………… | am F2018L01502 |
| 4(3)…………………………. | am F2018L01502 |