



**PB 91 of 2017**

# **National Health (Growth Hormone Program) Special Arrangement Amendment Instrument 2017 (No. 2)**

*National Health Act 1953*

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I, JULIANNE QUAINÉ, Assistant Secretary, Pharmacy and Insurance Branch, Technology Assessment and Access Division, Department of Health, delegate of the Minister for Health, make this Instrument under subsection 100(2) of the *National Health Act 1953*.

Dated 30 OCTOBER 2017

JULIANNE QUAINÉ  
Assistant Secretary  
Pharmacy and Insurance Branch  
Technology Assessment and Access Division  
Department of Health

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**1 Name of Instrument**

- (1) This Instrument is the *National Health (Growth Hormone Program) Special Arrangement Amendment Instrument 2017 (No.2)*.
- (2) This Instrument may also be cited as PB 91 of 2017.

**2 Commencement**

This Instrument commences on 1 November 2017.

**3 Authority**

This Instrument is made under subsection 100(2) of the *National Health Act 1953*.

**4 Schedule**

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.



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## Schedule 1 Amendments

### *National Health (Growth Hormone Program) Special Arrangement 2015 (PB 85 of 2015)*

#### 1 Subsection 4(1)

Insert:

***ideal body weight*** means:

- (a) for a person who is male with a height less than or equal to 176.8 centimetres, or female with a height less than or equal to 163.3 centimetres - that person's 50<sup>th</sup> percentile weight for height, calculated using CDC 2000;
- (b) for a person who is male with a height greater than 176.8 centimetres, or female with a height greater than 163.3 centimetres - that person's body mass index at the 50<sup>th</sup> percentile for age multiplied by height (in metres) squared, calculated using CDC 2000.

#### 2 Subsection 4(1) (definition of ***ideal weight for height***)

Repeal the definition.

#### 3 Subsection 4(1)

Insert:

***main listing instrument*** means the *National Health (Listing of Pharmaceutical Benefits) Instrument 2012*, or an instrument made to replace that instrument.

#### 4 Subsection 4(1) (definition of ***Regulations***)

Repeal the definition, substitute:

***Regulations*** means the *National Health (Pharmaceutical Benefits) Regulations 2017*.

#### 5 At the end of Division 2 of Part 2

Add:

#### 9A Prescription — Authority required procedures

- (1) For the purposes of the main listing instrument, a prescription for a pharmaceutical benefit is also taken to have been submitted in accordance with section 12 where the authorised prescriber submits details of that prescription in accordance with subsection (2).
- (2) The details must be:

- (a) given to the Chief Executive Medicare in writing; and
  - (b) by means of an electronic communication; and
  - (c) in a form approved by the Chief Executive Medicare; and
  - (d) in accordance with any other requirements that would need to be met in order for the requirements to give the information in writing to be taken to have been met under the *Electronic Transactions Act 1999*.
- (3) For the purposes of the main listing instrument, a prescription submitted in accordance with subsection (2) is also taken to have been authorised under subsection 13(3) of the main listing instrument where the Chief Executive Medicare sends his or her authorisation, by electronic communication, including computer automated electronic communication, to the authorised prescriber.

**6 Subsection 10(2)**

Omit “ideal weight for height (kg)”, substitute “ideal body weight (kg)”.

**7 Subsection 10(3)**

Omit “ideal weight for height”, substitute “ideal body weight in kilograms”.

**8 Subsection 11(4)**

Omit “ideal weight for height”, substitute “ideal body weight in kilograms”.