

*Health Insurance (Permitted benefits — diagnostic imaging services) Determination 2018*

*Health Insurance Act 1973*

I, Celia Street, delegate of the Minister for Health, make this Determination under section 23DZZIG of the *Health Insurance Act 1973*.

Dated 13 March 2018

CELIA STREET

Assistant Secretary

Diagnostic Imaging and Pathology Branch

Medical Benefits Division

Department of Health

1 Name

This Determination is the *Health Insurance (Permitted benefits — diagnostic imaging services) Determination 2018.*

2 Commencement

This Determination commences on the day after it is registered.

3 Authority

This Determination is made under section 23DZZIG of the *Health Insurance Act 1973*.

4 Definitions

In this Determination:

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

Note:   ***Diagnostic imaging equipment***, ***diagnostic imaging service***, ***hospital*** and ***specialist*** are defined in subsection 3(1) of the Act. ***Provider***, ***requester*** and ***connected*** are defined in subsection 23DZZID(1) of the Act.

5 Repeal

The *Health Insurance (Permitted benefits – diagnostic imaging services) Determination 2008* is repealed.

6 Permitted benefits for diagnostic imaging services

(1) For section 23DZZIG of the Act, a benefit mentioned in Schedule 1 is a class of permitted benefit if:

(a) a beneficiary who is, or is connected to, a requester of a kind of diagnostic imaging service, asks for, or accepts, the benefit from a provider, or a person connected to a provider, of a kind of diagnostic imaging service; or

(b) a provider, or a person connected to a provider, of a kind of diagnostic imaging service offers or provides the benefit to a beneficiary who is, or is connected to, a requester of a kind of diagnostic imaging service.

(2) However, a benefit is not a permitted benefit if:

(a) it is related to the number, kind or value of requests for diagnostic imaging services made by a requester to a particular provider; or

(b) taken with other benefits of the same kind, it exceeds the number that would usually be needed by the beneficiary’s practice.

Schedule 1 Classes of permitted benefits

(section 6)

1 Items related to diagnostic imaging that help the requester to read film or images, or to make requests for the rendering of services relating to diagnostic imaging, if:

(a) they do not have the effect of preventing the requester from reading film or images produced by a provider other than the provider of the benefit or making requests for the rendering of services relating to diagnostic imaging to a provider other than the provider of the benefit; and

(b) one of the following applies:

(i) they can only be used for purposes connected with diagnostic imaging;

(ii) if an item has more than 1 use — it has special features that help the requester to request the rendering of diagnostic imaging services or view images.

Examples

1   Light box

2   Requesting software

3   Digital imaging reading software

4   Monitor designed specifically to enable the requester to view images

2 The provision of staff or diagnostic imaging equipment at premises of the beneficiary if:

(a) the premises are located more than 30 km by road from a radiology facility that is under the direction of a specialist in the specialty of diagnostic radiology; or

(b) the premises are a hospital; or

(c) the staff or equipment are stationed at the premises for the sole purpose of enabling services relating to diagnostic imaging to be rendered during a surgical procedure performed at the premises (including a procedure performed by fine needle aspiration).

3 Free or discounted diagnostic imaging services to a patient who is, or is connected to, the requester.

4 Educational material about diagnostic imaging, including material that may be given to patients.

5 Education sessions on diagnostic imaging for the beneficiary if:

(a) the primary objective of the session is to provide relevant information about diagnostic imaging; and

(b) the venue is appropriate for the educational purpose of the session; and

(c) any hospitality given is secondary to the educational purpose of the session; and

(d) the cost of any hospitality is reasonable having regard to the venue and the conduct of the session; and

(e) no travel or accommodation costs of the beneficiary are paid by the provider of the benefit; and

(f) the session does not include, and is not held with, a sporting event or other entertainment.

Examples of topics for educational material or sessions

1   Appropriate requesting of diagnostic imaging services

2   Understanding results and reports for areas of diagnostic imaging and for particular processes

6 Gifts or hospitality if:

(a) they are a non‑cash benefit that is not convertible to cash; and

(b) they are given infrequently and only in relation to a significant occasion; and

(c) they are not given as inducement, consideration or reward for the beneficiary requesting diagnostic imaging services from a particular provider; and

(d) the cost of the gift or hospitality is reasonable in the circumstances.

Examples

1 Flowers given because of the death of a family member of the beneficiary

2 Hospitality given for Christmas parties

7 Diagnostic imaging request forms, promotional publications and promotional items, including material promoting the quality, convenience and cost to patients of diagnostic imaging services, if:

(a) it has no resale value for the beneficiary; and

(b) it is clearly identified as coming from the provider of the diagnostic imaging service.