



Health Insurance (Section 3C General Medical Services – Unscheduled specialist attendance) Determination 2019

I, ELIZABETH DOWD, delegate of the Minister for Health, make the following determination.

Dated 14 March 2019

Elizabeth Dowd
Assistant Secretary
MBS Policy and Specialist Services Branch
Medical Benefits Division
Health Financing Group
Department of Health

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1. Name

This instrument is the *Health Insurance (Section 3C General Medical Services – Unscheduled specialist attendance) Determination 2019*.

2. Commencement

This instrument commences on 1 April 2019.

3. Authority

This instrument is made under subsection 3C(1) of the *Health Insurance Act 1973*.

4. Definitions

(1) In this instrument:

Act means the *Health Insurance Act 1973*.

relevant provisions means all provisions, of the Act and regulations made under the Act, and the *National Health Act 1953* and regulations made under the *National Health Act 1953*, relating to medical services, professional services or items.

relevant service means a health service, as defined in subsection 3C(8) of the Act, that is specified in a Schedule.

Schedule means a Schedule to this instrument.

Note: The following terms are defined in subsection 3(1) of the Act:

- clinically relevant service;
- general medical services table;
- item;
- professional service.

(2) Unless the contrary intention appears, a reference in this instrument to a provision of the Act or the *National Health Act 1953* or regulations made under the Act or under the *National Health Act 1953* as applied, adopted or incorporated in relation to specifying a matter is a reference to those provisions as in force from time to time and any other reference to provisions of an Act or regulations is a reference to those provisions as in force from time to time.

5. Treatment of relevant services

For subsection 3C(1) of the Act, a relevant service, provided in accordance with this instrument and as a clinically relevant service, is to be treated, for the relevant provisions, as if:

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- (a) it were both a professional service and a medical service; and
 - (b) there were an item in the general medical services table that:
 - i. related to the service; and
 - ii. specified for the service a fee in relation to each State, being the fee specified in the Schedule in relation to the service.

6. Application of provisions of the general medical services table

- (1) Clause 1.1.5 of the general medical services table shall have effect as if item 115 contained in the Schedule were also specified in subclause 1.1.5(1).
- (2) Clause 1.2.2 of the general medical services table shall have effect as if item 115 contained in the Schedule were also specified in subclause 1.2.2(1).
- (3) Clause 1.2.4 of the general medical services table shall have effect as if item 115 contained in the Schedule were also specified in subclause 1.2.4(1).
- (4) Clause 1.2.5 of the general medical services table shall have effect as if item 115 contained in the Schedule were also specified in subclause 1.2.5(1).
- (5) Clause 1.2.6 of the general medical services table shall have effect as if item 115 contained in the Schedule were also specified in subclause 1.2.6(1).
- (5) Clause 1.2.7 of the general medical services table shall have effect as if item 115 contained in the Schedule were also specified in clause 1.2.7.

Schedule 1 – relevant services

Category 1 – Professional Attendances

Group A3 – Specialist attendances to which no other item applies

Item	Service	Fee (\$)
115	<p>Professional attendance at consulting rooms or in hospital by a specialist or consultant physician in the practice of the medical practitioner's specialty after referral of the patient to the specialist or consultant physician by a referring practitioner—an attendance after the first attendance in a single course of treatment, if:</p> <ul style="list-style-type: none">(a) the specialist or consultant physician performs a scheduled operation on that patient on the same day; and(b) the operation is one to which an item in Group T8 of the general medical service table applies; and(c) the amount as the fee for service is the amount specified in subclause 1.2.3(2)(c) of the general medical services table; and(d) the attendance is unrelated to the scheduled operation; and(e) it is considered a clinical risk to defer the attendance to a later date. <p>For any particular patient, once only on the same day.</p>	43.65
