



Hearing Services Program (Voucher) Amendment Instrument 2020

I, Greg Hunt, Minister for Health, make the following instrument.

Dated 12 June 2020

Greg Hunt
Minister for Health

Contents

1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Schedules	1
Schedule 1—Amendments commencing 29 June 2020	2
<i>Hearing Services Program (Voucher) Instrument 2019</i>	2
Schedule 2—Amendments commencing 1 July 2020	3
<i>Hearing Services Program (Voucher) Instrument 2019</i>	3

1 Name

This instrument is the *Hearing Services Program (Voucher) Amendment Instrument 2020*.

2 Commencement

- (1) 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. Schedule 1	29 June 2020.	29 June 2020
2. Schedule 2	1 July 2020.	1 July 2020

Note: This table relates only to the provisions of this instrument as originally made.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 Authority

This instrument is made under the following provisions of the *Hearing Services Administration Act 1997*:

- (a) subsection 5(3);
- (b) subsection 11(1);
- (c) section 13;
- (d) subsection 17(1).

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments commencing 29 June 2020

Hearing Services Program (Voucher) Instrument 2019

1 Subsection 13(3)

Omit “subsections (4) and (5)”, substitute “subsection (5)”.

2 Subsection 13(4)

Repeal the subsection.

Schedule 2—Amendments commencing 1 July 2020

Hearing Services Program (Voucher) Instrument 2019

1 Subsection 5(1)

Insert:

available hearing services means the hearing services set out in Division 6.2 in Part 6 of this instrument.

NDIS participant means a participant within the meaning of the *National Disability Insurance Scheme Act 2013*.

NDIS plan means an NDIS participant’s plan within the meaning of the *National Disability Insurance Scheme Act 2013*.

2 Section 8 (heading)

Repeal the heading, substitute:

8 Disability Services Act 1993 (WA) participants

3 Section 8

Repeal the section, substitute:

A person is an eligible person if the person:

- (a) has reached the age of 21 years; and
- (b) is a participant within the meaning of the *Disability Services Act 1993* (WA) and has been referred to the Minister in connection with the funding or provision of supports under the participant’s plan under section 26I of that Act.

4 Subsection 13(3)

Omit “subsection 5”, substitute “subsections (5) and (6)”.

5 Subsection 13(6)

Repeal the subsection, substitute:

If the voucher-holder is an NDIS participant and supports substantially equivalent to available hearing services are included as part of their NDIS plan, the voucher ceases on the day that the NDIS participant has the supports included as part of their NDIS plan.

6 Subsection 13(7)

Repeal the subsection.

7 Subsection 34(2)

Repeal the subsection, substitute:

Despite subsection (1), a contracted service provider must not refuse to provide available hearing services to a voucher-holder on the ground that:

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- (a) the voucher holder will not enter into an arrangement for a partially subsidised device; or
 - (b) the voucher-holder is an NDIS participant.

8 Section 54

Omit “will”, substitute “may”.