



Health Insurance (Section 3C General Medical Services – COVID-19 Telehealth and Telephone GP Attendances) Amendment (Patient’s Usual Medical Practitioner) Determination 2020

I, Andrew Simpson, delegate of the Minister for Health, make the following Determination.

Dated 17 July 2020

Andrew Simpson
Assistant Secretary
MBS Review Unit
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 – COVID-19 Telehealth and Telephone GP Attendances) Amendment (Patient’s Usual Medical Practitioner) Determination 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. The whole of this instrument	20 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Note: This table relates only to the provisions of this instrument as originally made.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 subsection 3C(1) of the *Health Insurance Act 1973*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Health Insurance (Section 3C General Medical Services - COVID-19 Telehealth and Telephone Attendances) Determination 2020

1 Subsection 5(1), after definition of *patient review*

Insert:

person who is experiencing homelessness means when a person does not have suitable accommodation alternatives they are considered homeless if their current living arrangement:

- (a) is in a dwelling that is inadequate; or
- (b) has no tenure, or if their initial tenure is short and not extendable; or
- (c) does not allow them to have control of, and access to space for social relations.

person who is in a COVID-19 impacted area means a patient who, at the time of accessing the telehealth service, has their movement restricted within the State or Territory, by a State or Territory public health requirement applying to the patient's location.

2 After subsection 8(7)

Insert:

- (8) An item in Schedule 1 applies to a service performed by the patient's usual medical practitioner.
- (9) Subsection 8(8) does not apply to a service provided to:
 - (a) a person who is under the age of 12 months; or
 - (b) a person who is experiencing homelessness; or
 - (c) a person who is in a COVID-19 impacted area; or
 - (d) a person who receives the service from a medical practitioner located at an Aboriginal Medical Service or an Aboriginal Community Controlled Health Service.
- (10) Subsection 8(8) does not apply to an item listed in subgroup 29 or 30.
- (11) For the purpose of subsection 8(8):

patient's usual medical practitioner means a medical practitioner (other than a specialist or consultant physician) who:

- (a) has provided at least one service to the patient in the past 12 months; or
- (b) is located at a medical practice at which at least one service to the patient was provided, or arranged by, in the past 12 months; or
- (c) is a participant in the Approved Medical Deputising Service (AMDS) program if:
 - (i) the AMDS provider has a formal agreement in place with a medical practice to provide services to its patients; and
 - (ii) the medical practice has provided, or arranged, at least one service to the patient in the past 12 months.

For the purpose of this subsection, service means a personal attendance on the patient and excludes telehealth and phone attendances.