



HELP Debtor Guidelines (Health Practitioners) 2023

I, Jason Clare, Minister for Education, make the following guidelines.

Dated 21 August 2023

Jason Clare
Minister for Education

Contents

Part 1 – Preliminary	1
1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Definitions	1
Part 2 – Meaning of location-preferred HELP debtor (health practitioner)	3
5 Registration or accreditation of health practitioner	3
6 Work carried out by the health practitioner.....	3
7 Rural, remote or very remote areas	3
8 Minimum hours of work for a health practitioner.....	3
9 Eligible courses of study	3
Part 3 – Reducing accumulated HELP debts	4
10 Requirements for the reduction of accumulated HELP debts	5

Part 1 – Preliminary

1 Name

This instrument is the *HELP Debtor Guidelines (Health Practitioners) 2023*.

2 Commencement

This instrument commences on the day after this instrument is registered on the Federal Register of Legislation.

3 Authority

This instrument is made under section 238-10 of the *Higher Education Support Act 2003*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) ABS Remoteness Structure;
- (b) accumulated HELP debt;
- (c) course of study;
- (d) course of study in medicine;
- (e) location-preferred HELP debtor (health practitioner); and
- (f) postgraduate course of study.

In this instrument:

Act means the *Higher Education Support Act 2003*.

general practice means the totality of a medical practice as an organisation including any medical practitioners, nurse practitioners and other health care professionals that may work at the practice doing the following:

- (a) managing undifferentiated acute and chronic health problems across the lifespan in an unreferral patient population;
- (b) providing continuing care for individuals with chronic conditions; and
- (c) undertaking preventive health activities such as screening, immunisation, and health education.

Health Department is the Department of State of the Commonwealth that is administered by the Minister administering the *Health Insurance Act 1973*.

medical practitioner has the same meaning as in section 3 of the *Health Insurance Act 1973*.

Note: Section 3 of the *Health Insurance Act 1973* provides that a medical practitioner means a person who is registered under the National Law (as defined in section 3 of that Act) in the medical profession.

Modified Monash Model (MMM) means the geographical classification system managed by the Health Department that categorises metropolitan, regional, rural and remote areas by reference to the ABS Remoteness Structure.

nurse practitioner has the same meaning as in section 3 of the *Health Insurance Act 1973*.

Note: Section 3 of the *Health Insurance Act 1973* provides that a nurse practitioner means a person who is registered under the National Law (as defined in section 3 of that Act) in the nursing profession as a nurse practitioner.

Part 2 – Meaning of location-preferred HELP debtor (health practitioner)

5 Registration or accreditation of health practitioner

- (1) For the purposes of paragraph 144-1(1)(d) of the Act, a person holds the registration or accreditation as a health practitioner where the person has completed a course of study in medicine leading to their registration as a medical practitioner.
- (2) For the purposes of paragraph 144-1(1)(d) of the Act, a person holds the registration or accreditation as a health practitioner, that is a nurse practitioner, where the person has completed all relevant postgraduate courses of study in nursing required for registration as a nurse practitioner.

6 Work carried out by the health practitioner

For the purposes of paragraph 144-1(1)(e) of the Act, a person carries out work as a health practitioner in circumstances where the person carries out work as a medical practitioner or nurse practitioner within a general practice.

7 Rural, remote or very remote areas

- (1) For the purposes of paragraph 144-1(1)(f) of the Act, a rural area is an area that conforms to MMM 3 to MMM 5 in the Modified Monash Model.
- (2) For the purposes of paragraph 144-1(1)(f) of the Act, a remote area is an area that conforms to MMM 6 in the Modified Monash Model.
- (3) For the purposes of paragraph 144-1(1)(f) of the Act, a very remote area is an area that conforms to MMM 7 in the Modified Monash Model.

8 Minimum hours of work for a health practitioner

For the purposes of paragraph 144-1(1)(g) of the Act, the minimum number of hours that a health practitioner must carry out work as the kind of health practitioner specified in section 6 is 24 hours per week.

9 Post-registration experience requirement for medical practitioners

For the purposes of paragraph 144-1(1)(h) of the Act, a person who is a medical practitioner is a location-preferred HELP debtor (health practitioner) if they have been a medical practitioner for a cumulative period of at least 36 months.

10 Eligible courses of study

- (1) For the purposes of paragraph 144-1(2)(a) of the Act, an eligible course of study is a course of study specified in subsection 5(1).
- (2) For the purposes of subparagraph 144-1(2)(b)(ii) of the Act, an eligible course of study is a course of study specified in subsection 5(2).

Part 3 – Reducing indexation of accumulated HELP debts

11 Requirements for the reduction of the indexation of accumulated HELP debts

For the purposes of subparagraph 144-5(1)(b)(ii) of the Act, the other requirement that a person must meet, for the purposes of determining that the indexation of their accumulated HELP debt for a course of study is to be reduced in relation to a financial year, is that the person resides in a rural, remote or very remote area as defined in section 7.

Part 4 – Reducing accumulated HELP debts

12 Requirements for the reduction of accumulated HELP debts

- (1) For the purposes of paragraph 144-10(1)(a) of the Act, the minimum period for which a person must have been a location-preferred HELP debtor (health practitioner) is either:
 - (a) a quarter of the period of the duration of the course of study, specified in section 5, that was completed by the person, if the person has carried out work in a remote or very remote area as defined in subsections 7(2) and 7(3); or
 - (b) half the period of the duration of the course of study, specified in section 5, that was completed by the person, if the person has carried out work in a rural area as defined in subsection 7(1).

Note: Under subsection 144-10(1) of the Act, the Secretary has discretion to determine the amount by which a person's accumulated HELP debt may be reduced, as long as the amount by which the debt is reduced does not exceed the amounts specified in subsection 144-10(2). Where a person has only been a location-preferred HELP debtor (health practitioner) for the minimum period specified in subsection 12(1), the Secretary will reduce the person's accumulated HELP debt by 50 per cent. If the person has been a location-preferred HELP debtor (health practitioner) for a period equivalent to double the minimum period specified in subsection 12(1), the Secretary will reduce the person's accumulated HELP debt by 100 per cent.

- (2) For the purposes of paragraph 144-10(1)(b) of the Act, the other requirements that a person must meet, for the purposes of determining whether their accumulated HELP debt for a course of study is to be reduced, are that the person:
 - (a) has an accumulated HELP debt for all or part of their completed courses of study specified in section 5; and
 - (b) resides in a rural, remote or very remote area as defined in section 7.
- (3) The courses of study specified for the purposes of subparagraph 144-10(2)(a)(i) of the Act, are the courses of study specified in section 5.