

Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2004 (No. 1) 2004 No. 64

EXPLANATORY STATEMENT

STATUTORY RULES 2004 NO. 64

Issued by the Authority of the Minister for Health and Ageing

Health Insurance Act 1973

Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2004 (No. 1)

Subsection 133(1) of the *Health Insurance Act 1973* (the Act) provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The Act provides, in part, for payment of Medicare benefits in respect of professional services rendered to eligible persons. Section 9 of the Act provides that Medicare benefits shall be calculated by reference to the fees for medical services set out in prescribed Tables.

Subsection 4AA(1) of the Act provides that the regulations may prescribe a table of diagnostic imaging services that sets out items of diagnostic imaging services, the amount of fees applicable in respect of each item and rules for interpretation of the table. The *Health Insurance (Diagnostic Imaging Services Table) Regulations 2003* currently prescribe such a table.

The purpose of the Regulations is to amend the current table of diagnostic imaging services by introducing a new item, and rules for determining its application, to give effect to changes announced in the Australian Government's MedicarePlus package. The new item allows a higher Medicare benefit to be paid to a practitioner in a regional, rural or remote area, or in Tasmania, where a bulk billed service is provided to an eligible patient who is under 16 years of age or who is a Commonwealth concession card holder.

Details of the Regulations are set out in the [Attachment](#).

The Act specifies no conditions that need to be met before the power to make the Regulations may be exercised.

The Regulations commence on 1 May 2004.

ATTACHMENT

DETAILS OF THE *HEALTH INSURANCE (DIAGNOSTIC IMAGING SERVICES TABLE) AMENDMENT REGULATIONS 2004 (No. 1)*

Regulation 1 provides for the Regulations to be referred to as the *Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2004 (No. 1)*.

Regulation 2 provides for the Regulations to commence on 1 May 2004.

Regulation 3 provides for Schedule 1 to amend the *Health Insurance (Diagnostic Imaging Services Table) Regulations 2003* (the Principal Regulations).

Schedule 1 - Amendments

Item [1] Subrules 29 (3) and 30 (8A)

This amends subrules 29 (3) and 30 (8A) to specify that these rules also do not apply to the fee specified in new item 64991 (see item [7] below).

Item [2] Heading of rule 40

This amends the heading of rule 40 to include item 64991.

Item [3] Application of items 64990 and 64991 in subrule 40 (1)

This amends subrule 40 (1) to specify that either item 64990 or 64991, but not both items, can be claimed in relation to a diagnostic imaging service provided in a regional, rural or remote area, or in Tasmania. It also specifies that the fee payable under item 64990 or 64991 applies in addition to the fee for the diagnostic imaging service.

Item [4] Subrule 40 (2)

This amends subrule 40 (2) to specify that the definitions of "bulk-billed", "Commonwealth concession card holder" and "unreferred service" in subrule 40 (2) also apply to item 64991.

Item [5] New subrule 40 (3)

This inserts a new subrule 40 (3) to define the terms "practice location", "regional, rural or remote area" and "Rural, Remote and Metropolitan Areas Classification" for the purposes of item 64991.

Item [6] Item number 64990

This amends item 64990 to prevent item 64991 being claimed in conjunction with item 64990.

Item [7] New item number 64991

This introduces a new item 64991 to allow an additional amount to be payable when any unreferred service is bulk billed and provided to a person under the age of 16 or a Commonwealth concession card holder (where that person is not an admitted patient at a hospital or day-hospital facility) and where the service provider is providing the service at or from a practice location in a regional, rural or remote area, or in Tasmania.