



Health Insurance Amendment (Extended Medicare Safety Net) Act 2012

No. 123, 2012

**An Act to amend the *Health Insurance Act 1973*,
and for other purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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Health Insurance Amendment (Extended Medicare Safety Net) Act 2012

No. 123, 2012

An Act to amend the *Health Insurance Act 1973*, and for other purposes

[Assented to 12 September 2012]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Health Insurance Amendment (Extended Medicare Safety Net) Act 2012*.

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2 Commencement

- (1) Each provision of this Act 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
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	12 September 2012
2. Schedule 1, items 1 and 2	A single day to be fixed by Proclamation. However, if the provision(s) do not commence within the period of 6 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	12 October 2012 (see F2012L02022)
3. Schedule 1, item 3	The day after this Act receives the Royal Assent.	13 September 2012
4. Schedule 1, item 4	At the same time as the provision(s) covered by table item 2.	12 October 2012

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Health Insurance Act 1973

1 After subsection 10ACA(7A)

Insert:

(7AA) If:

- (a) 2 or more services (the *original services*) that are each specified in an item are deemed to constitute, or are treated as, one service (the *deemed service*) under this Act (other than a provision of this Act prescribed by the regulations); and
- (b) all of the items in which the original services are specified are items determined under section 10B to be items to which subsection (7A) of this section applies; and
- (c) the current claim is for the deemed service;

then, despite subsections (2) and (7) of this section, the increase under this section in the benefit payable in respect of the claim cannot exceed the sum of the amounts determined under section 10B as the maximum increases for those items.

Note: For when 2 or more services are deemed to constitute one service, see sections 15 and 16.

2 After subsection 10ADA(8A)

Insert:

(8AA) If:

- (a) 2 or more services (the *original services*) that are each specified in an item are deemed to constitute, or are treated as, one service (the *deemed service*) under this Act (other than a provision of this Act prescribed by the regulations); and
- (b) all of the items in which the original services are specified are items determined under section 10B to be items to which subsection (8A) of this section applies; and
- (c) the current claim is for the deemed service;

then, despite subsections (3) and (8) of this section, the increase under this section in the benefit payable in respect of the claim cannot exceed the sum of the amounts determined under section 10B as the maximum increases for those items.

Note: For when 2 or more services are deemed to constitute one service, see sections 15 and 16.

3 Subsection 10AE(1)

Omit “state, in writing,”, substitute “state, in a manner approved by the Chief Executive Medicare,”.

4 Application provision

Subsections 10ACA(7AA) and 10ADA(8AA) of the *Health Insurance Act 1973*, as inserted by this Schedule, apply in relation to services rendered after the commencement of this item.

[Minister’s second reading speech made in—
House of Representatives on 27 June 2012
Senate on 20 August 2012]

(127/12)
4 Health Insurance Amendment (Extended Medicare Safety Net) Act 2012 No. 123,
2012