



## Health Insurance (Professional Services Review) Amendment Regulations 1999 (No. / )

Statutory Rules 1999 No.  $\angle$ 

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I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Health Insurance Act 1973*.

Dated

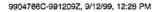
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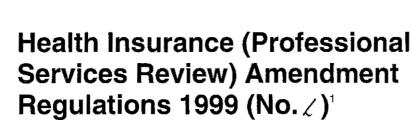
WILLIAM DEANE

Governor-General

By His Excellency's Command,

MICHAEL WOOLDRIDGE Minister for Health and Aged Care





Statutory Rules 1999 No.  $\angle$  <sup>2</sup>

made under the

Health Insurance Act 1973

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#### 1 Name of Regulations

These Regulations are the Health Insurance (Professional Services Review) Amendment Regulations 1999 (No.  $\mathcal{L}$ ).

#### 2 Commencement

These Regulations commence on 1 January 2000.

#### 3 Amendment of *Health Insurance (Professional* Services Review) Regulations 1999

Schedule 1 amends the Health Insurance (Professional Services Review) Regulations 1999.

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## Schedule 1 Amendments

(regulation 3)

#### [1] Regulation 3, note

omit

Note

insert

Note 1

#### [2] Regulation 3, after the note

insert

Note 2 The expressions Committee, inappropriate practice, person under review, profession, referred services and service are defined in s 81 of the Act.

#### [3] After Part 2

insert

# Part 3 Prescribed pattern of services

#### 7 Definition

For this Part:

*professional attendance* means a service of a kind mentioned in group A1, A2, A5, A6, A7, A13, A14 or A15 of Part 2 of the general medical services table.

Note The expressions general medical services table, general practitioner and medical practitioner are defined in s 3 of the Act.

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Purpose of this Part

This Part prescribes the circumstances in which referred services constitute a prescribed pattern of services for Part VAA of the Act.

*Note* Section 106KA of the Act provides that conduct of a person under review in connection with rendering or initiating services that constitute a prescribed pattern of services may be taken to be inappropriate practice.

#### 9 Practitioners affected by these Regulations

For subsection 106KA (3) of the Act, the following groups of practitioners in the profession of medicine are groups to which these Regulations apply:

- (a) general practitioners;
- (b) other medical practitioners rendering professional attendances.

# 10 Circumstances constituting a prescribed pattern

The circumstance in which services that are professional attendances constitute a prescribed pattern of services is that 80 or more such services are rendered on each of 20 or more days in a 12 month period.

#### 11 Exceptional circumstances

For subsection 106KA (5) of the Act, the following circumstances are declared as constituting exceptional circumstances:

(a) an unusual occurrence causing an unusual level of need for professional attendances;

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- (b) an absence of other medical services, for patients of the person under review during the relevant period, having regard to:
  - (i) the location of the practice of the person under review; and
  - (ii) characteristics of the patients of the person under review.

Note For relevant period, see s 106KA of the Act.

#### Notes

- 1. These Regulations amend Statutory Rules 1999 No. 258.
- 2. Made by the Governor-General on  $\angle$  1999, and notified in 15 December the Commonwealth of Australia Gazette on  $\angle$  1999. 22 December

1999,

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