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Health Insurance (Professional Services Review) Amendment Regulations 1999 (No. 1)

Statutory Rules 1999 No. 1

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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 15 DEC 1999 1999.

WILLIAM DEANE

Governor-General

By His Excellency's Command,

MICHAEL WOOLDRIDGE
Minister for Health and Aged Care



Health Insurance (Professional Services Review) Amendment Regulations 1999 (No. 1)¹

Statutory Rules 1999 No. 1²

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. 2)*. /

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*.

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.

8 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;

- (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 \sphericalangle 1999, and notified in the *Commonwealth of Australia Gazette* on \sphericalangle 1999.

15 December
22 December