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# Health Insurance Commission Amendment Regulations 2001 (No. 2)<sup>1</sup>

Statutory Rules 2001 No. 2<sup>2</sup>

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I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Health Insurance Commission Act 1973*.

Dated 27 SEP 2001 2001

**PETER HOLLINGWORTH**  
 Governor-General

By His Excellency's Command

MICHAEL WOOLDRIDGE  
 Minister for Health and Aged Care

**1 Name of Regulations**

These Regulations are the *Health Insurance Commission Amendment Regulations 2001 (No. 2)*.

**2 Commencement**

These Regulations commence on gazettal.

**3 Amendment of Health Insurance Commission Regulations**

Schedule 1 amends the Health Insurance Commission Regulations.

**Schedule 1 Amendments**

(regulation 3)

**[1] Regulation 1**

*substitute*

**1 Name of Regulations**

These Regulations are the *Health Insurance Commission Regulations 1975*.

**[2] After regulation 3R**

*insert*

**3S Additional functions of the Commission — registration of sonographers**

(1) For the purposes of subsection 8AA (2) of the Act, it is a prescribed function of the Commission to establish

and maintain a Register of Sonographers (the **Register**).

- (2) The Register may be maintained in any form, including the form of a computer record.
- (3) The Commission must, within the required period under subregulation (5), enter a person's name in the Register if:
  - (a) the person is eligible for registration as a sonographer; and
  - (b) the Commission receives:
    - (i) a written notice from the Australasian Sonographer Accreditation Registry (**ASAR**) stating that the person is registered as a sonographer by ASAR; or
    - (ii) an application for registration that complies with subregulation (4).

*Note for subparagraph (b)(i)* The notice may be given electronically.

- (4) An application by a person for registration as a sonographer must:
  - (a) be in writing; and
  - (b) state the basis, under subregulation (10), on which the person is eligible for registration; and
  - (c) request that the person's name be included in the Register of Sonographers.
- (5) For the purposes of subregulation (3), the **required period** is:
  - (a) if a notice from ASAR is received by the Commission under subparagraph (3) (b) (i) — the period of 14 days after the notice is received; and
  - (b) if an application for registration is received by the Commission under subparagraph (3) (b) (ii) — the period of 28 days after the application is received.

- (6) If a person is eligible for registration under paragraph (10) (b) and the Commission enters the person's name in the Register, the Commission must include in the Register an indication that the person is a student.
- (7) The Commission must remove a person's name from the Register if:
- (a) the person has ceased to be eligible for registration as a sonographer; or
  - (b) the person is not a participant in the Continuing Professional Development Program for sonographers administered by the Commission and ASAR; or
  - (c) the person was, at the time of registration by the Commission, registered as a sonographer by ASAR, and the Commission receives a written notice from ASAR stating that the person is no longer registered as a sonographer by ASAR; or
  - (d) the Commission receives a written request from the person asking for the person's name to be removed from the Register.
- (8) Before removing a person's name from the Register, the Commission must give the person written notice that the person's name is to be removed from the Register.
- (9) A notice given under subregulation (8) must specify the day, being a day that is at least 28 days after the day when the notice is given, when the person's name is to be removed from the Register.
- (10) For this regulation, a person is eligible for registration as a sonographer if:
- (a) the person holds an accredited postgraduate qualification in medical ultrasound; or
  - (b) the person is undertaking an accredited course of study in medical ultrasound or an accredited Diploma of Medical Ultrasound; or
  - (c) the person has at least 5 years clinical experience before 1 November 2001 working as a

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sonographer in Australia or New Zealand under the supervision, or at the direction, of a medical practitioner; or

- (d) on 1 November 2001, the person is not eligible for registration as a sonographer under paragraph (a), (b) or (c) but the person has, before that date, worked as a sonographer in Australia or New Zealand under the supervision, or at the direction, of a medical practitioner.

(11) A person who is eligible for registration as a sonographer under paragraph (10)(d) ceases to be eligible for registration at the end of 31 December 2004 unless, before that date:

- (a) the person becomes eligible for registration under paragraph (10) (a) or (b); or
- (b) the person undergoes a competency assessment administered by ASAR and is assessed as being competent to work as a sonographer under the supervision, or at the direction, of a medical practitioner.

(12) In this regulation:

*accredited*, in relation to a course of study or qualification in medical ultrasound, means accredited by ASAR.

### [3] Regulation 4

*omit*

(2) For the purposes of

*insert*

For the purposes of

**Notes**

1. These Regulations amend Statutory Rules 1975 No. 27, as amended by 1976 Nos. 21 and 146; 1982 No. 249; 1983 Nos. 88 and 152; Act No. 54, 1983; Statutory Rules 1984 No. 321; 1985 Nos. 41 and 70; 1986 No. 127; 1987 No. 165; 1989 Nos. 55, 96 and 195; 1991 No. 443; 1992 No. 241; 1993 Nos. 81, 89, 197 and 217; 1994 Nos. 102, 257, 404 and 450; 1995 Nos. 24, 286, 375 and 440; 1996 Nos. 159 and 322; 1997 Nos. 286, 332 and 396; Act No. 159, 1997; Statutory Rules 1998 Nos. 67, 103 and 124/
2. Notified in the *Commonwealth of Australia Gazette* on / 2001.

; 2001 No. 276  
5 October