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Health Insurance Commission Amendment Regulations 2002 (No. 2)¹

Statutory Rules 2002 No. ²

253

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 30 OCT 2002 2002

PETER HOLLINGWORTH

Governor-General

By His Excellency's Command

KAY PATTERSON
Minister for Health and Ageing

1 Name of Regulations

These Regulations are the *Health Insurance Commission Amendment Regulations 2002* (No. *2*).

2

2 Commencement

These Regulations commence on 1 November 2002.

3 Amendment of *Health Insurance Commission Regulations 1975*

Schedule 1 amends the *Health Insurance Commission Regulations 1975*.

Schedule 1 Amendments

(regulation 3)

[1] Subregulation 3T (1)

substitute

- (1) For subsection 8AA (2) of the Act, it is a prescribed function of the Commission to establish and maintain a register (the ***Register***) of general practitioners who may:
- (a) participate in the Better Outcomes in Mental Health Care Initiative administered by the Department of Health and Ageing (the ***Initiative***); and
 - (b) provide Focussed Psychological Strategies Services under the Initiative (***FPS Services***).

[2] Subregulation 3T (2)*omit*

record.

insert

record, and may be divided as follows:

- (a) Part A, containing the names of persons who may participate in the Initiative;
- (b) Part B, containing the names of persons who may provide FPS Services.

[3] After subregulation 3T (2)*insert*

Part A of the Register — persons who may participate in the Better Outcomes in Mental Health Care Initiative

[4] Subregulations 3T (3) and (4)*omit each mention of*

the Register

insert

Part A of the Register

[5] Subregulation 3T (5)*substitute*

- (5) The Commission must remove a person's name from Part A of the Register if:
 - (a) the person requests the Commission, in writing, to do so; or

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- (b) the relevant accreditation body gives the Commission notice, in writing, of the relevant accreditation body's decision that the person no longer satisfies the requirements for participation in the Initiative, being a person that the relevant accreditation body:
- (i) has notified, in writing, of that decision; and
 - (ii) has advised, in writing, of the opportunity to have that decision reviewed in accordance with the rules and procedures of the relevant accreditation body.
- (6) After a person's name has been removed from Part A of the Register, the Commission must give a written notice to the person and to the relevant accreditation body stating:
- (a) that the person's name has been removed from Part A of the Register; and
 - (b) the day on which the person's name was removed.

Part B of the Register — persons who may provide Focussed Psychological Strategies Services

- (7) A person's name may be entered in Part B of the Register if:
- (a) the person's name is entered in Part A of the Register; and
 - (b) the relevant accreditation body has given the Commission a written notice stating that the relevant accreditation body is satisfied that the person has the mental health skills for providing FPS Services.
- (8) If, under subregulation (7), a person's name may be entered in the Part B of the Register, the Commission must enter the person's name in Part B of the Register within 14 days after the later of:
- (a) the person's name being entered in Part A of the Register; or
 - (b) receiving the written notice from the relevant accreditation body under paragraph (7) (b).

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- (9) After a person's name has been entered in Part B of the Register, the Commission must give a written notice to the person and to the relevant accreditation body stating:
- (a) that the person's name has been entered in Part B of the Register; and
 - (b) the day on which the person's name was entered.
- (10) The Commission must remove a person's name from Part B of the Register if:
- (a) the person requests the Commission, in writing, to do so; or
 - (b) the person's name is removed from the Part A of the Register; or
 - (c) the relevant accreditation body gives the Commission notice, in writing, of the relevant accreditation body's decision that the person no longer satisfies the requirements for providing FPS Services, being a person that the relevant accreditation body:
 - (i) has notified, in writing, of that decision; and
 - (ii) has advised, in writing, of the opportunity to have that decision reviewed in accordance with the rules and procedures of the relevant accreditation body.
- (11) After a person's name has been removed from Part B of the Register, the Commission must give a written notice to the person and to the relevant accreditation body stating:
- (a) that the person's name has been removed from Part B of the Register; and
 - (b) the day on which the person's name was removed.
- (12) The Commission may give to the relevant accreditation body information about the following:
- (a) names entered in the Register;
 - (b) names added to the Register;
 - (c) names removed from the Register.

(13) In this regulation:

general practitioner means a medical practitioner (other than a specialist or consultant physician) who practices in general practice.

relevant accreditation body means the General Practice Mental Health Standards Collaboration.

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; 2001 Nos. 276 and 277; 2002 No. 142.
2. Notified in the *Commonwealth of Australia Gazette* on 2002.

31 October