



National Health (Collaborative arrangements for nurse practitioners) Determination 2010¹

National Health Act 1953

I, NICOLA ROXON, Minister for Health and Ageing, make this Determination under subsection 84 (1) of the *National Health Act 1953*.

Dated 14 July 2010

NICOLA ROXON
Minister for Health and Ageing

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Part 1 Preliminary

1 Name of Determination

This Determination is the *National Health (Collaborative arrangements for nurse practitioners) Determination 2010*.

2 Commencement

This Determination commences on the later of the following:

- (a) 1 July 2010;
- (b) the day after it is registered.

3 Definitions

In this Determination:

Act means the *National Health Act 1953*.

collaborative arrangement means a collaborative arrangement mentioned in section 5.

consultant physician has the meaning given by subsection 3 (1) of the *Health Insurance Act 1973*.

medical practitioner has the meaning given by subsection 3 (1) of the *Health Insurance Act 1973*.

specialist has the meaning given by subsection 3 (1) of the *Health Insurance Act 1973*.

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specified medical practitioner means a medical practitioner mentioned in section 4.

4 Specified medical practitioners

For the definition of *authorised nurse practitioner* in subsection 84 (1) of the Act, all kinds of medical practitioner are specified.

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Part 2 Collaborative arrangements

5 Collaborative arrangements — general

- (1) For the definition of *authorised nurse practitioner* in subsection 84 (1) of the Act, each of the following is a kind of collaborative arrangement for an eligible nurse practitioner:
 - (a) the nurse practitioner is employed or engaged by 1 or more specified medical practitioners, or by an entity that employs or engages 1 or more specified medical practitioners;
 - (b) a patient is referred, in writing, to the nurse practitioner for treatment by a specified medical practitioner;
 - (c) an agreement mentioned in section 6 for the nurse practitioner;
 - (d) an arrangement mentioned in section 7 for the nurse practitioner.
- (2) For subsection (1), the arrangement must provide for:
 - (a) consultation between the nurse practitioner and a medical practitioner; and
 - (b) referral of a patient to a medical practitioner; and
 - (c) transfer of a patient's care to a medical practitioner.
- (3) A collaborative arrangement, other than an arrangement mentioned in section 7, may apply to more than 1 patient.
- (4) However, an acknowledgement mentioned in paragraph 7 (1) (c) may apply for more than 1 patient.

6 Agreement between eligible nurse practitioner and 1 or more specified medical practitioners

- (1) An agreement may be made between:
 - (a) an eligible nurse practitioner; and
 - (b) 1 or more specified medical practitioners.
- (2) The agreement must be in writing and signed by the eligible nurse practitioner and the other parties mentioned in paragraph (1) (b).

7 Arrangement — nurse practitioner's written records

- (1) An eligible nurse practitioner must record the following for a patient in the nurse practitioner's written records:
 - (a) the name of at least 1 specified medical practitioner who is, or will be, collaborating with the nurse practitioner in the patient's care (a *named medical practitioner*);

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- (b) that the nurse practitioner has told the patient that the nurse practitioner will be providing services to the patient in collaboration with 1 or more specified medical practitioners in accordance with this section;
 - (c) acknowledgement by a named medical practitioner that the practitioner will be collaborating in the patient's care;
 - (d) plans for the circumstances in which the nurse practitioner will do any of the following:
 - (i) consult with a medical practitioner;
 - (ii) refer the patient to a medical practitioner;
 - (iii) transfer the patient's care to a medical practitioner;
 - (e) any consultation or other communication between the nurse practitioner and a medical practitioner about the patient's care;
 - (f) any transfer by the nurse practitioner of the patient's care to a medical practitioner;
 - (g) any referral of the patient by the nurse practitioner to a medical practitioner;
 - (h) if the nurse practitioner gives a copy of a document mentioned in subsection (2) or (3) to a named medical practitioner — when the copy is given;
 - (i) if the nurse practitioner gives a copy of a document mentioned in subsection (4) or (5) to the patient's usual general practitioner — when the copy is given.
- (2) If the nurse practitioner refers the patient to a specialist or consultant physician, or if the nurse practitioner requests diagnostic imaging or pathology services for the patient, the nurse practitioner must give a copy of the referral, or the results of the services, to a named medical practitioner if:
- (a) the nurse practitioner:
 - (i) consults with the named medical practitioner; or
 - (ii) refers the patient to the named medical practitioner; or
 - (iii) transfers the patient's care to the named medical practitioner; and
 - (b) the named medical practitioner asks the nurse practitioner for a copy of the referral or results.
- (3) Also, the nurse practitioner must give a named medical practitioner a record of the services provided by the nurse practitioner to the patient if:
- (a) the nurse practitioner:
 - (i) consults with the named medical practitioner; or
 - (ii) refers the patient to the named medical practitioner; or
 - (iii) transfers the patient's care to the named medical practitioner; and
 - (b) the named medical practitioner asks the nurse practitioner for the record.

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- (4) If the nurse practitioner refers the patient to a specialist or consultant physician, or requests diagnostic imaging or pathology services for the patient, and the patient's usual general practitioner is not a named medical practitioner, the nurse practitioner must give a copy of the referral, or the results of the services, to the patient's usual general practitioner.
- (5) Also, if the patient's usual general practitioner is not a named medical practitioner, the nurse practitioner must give the patient's usual general practitioner a record of the services provided by the nurse practitioner to the patient.
- (6) However, subsections (4) and (5) apply only if the patient consents.
- (7) In this section:
usual general practitioner, for a patient, includes a medical practitioner nominated by the patient.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.