



# **Health Insurance Legislation Amendment (General Medical Services Table and Other Measures) Regulation 2014**

## **Select Legislative Instrument No. 149, 2014**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd),  
Governor-General of the Commonwealth of Australia, acting with the  
advice of the Federal Executive Council, make the following regulation.

Dated 16 October 2014

Peter Cosgrove  
Governor-General

By His Excellency's Command

Peter Dutton  
Minister for Health

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*OPC60758 - A*



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## 1 Name

This is the *Health Insurance Legislation Amendment (General Medical Services Table and Other Measures) Regulation 2014*.

## 2 Commencement

Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

<b>Commencement information</b>	
<b>Column 1</b>	<b>Column 2</b>
<b>Provisions</b>	<b>Commencement</b>
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.
2. Schedule 1, Parts 1 to 6	1 November 2014.
3. Schedule 1, Parts 7 and 8	1 January 2015.

## 3 Authority

This instrument is made under the *Health Insurance Act 1973*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## **Schedule 1—Amendments**

### **Part 1—Home-based sleep studies**

#### ***Health Insurance (General Medical Services Table) Regulation 2014***

##### **1 Clause 2.34.3 of Schedule 1**

Repeal the clause.

##### **2 Schedule 1 (item 12250, column headed “Description”, after paragraph (e))**

Insert:

; (f) the investigation is not provided to the patient on the same occasion as a service mentioned in any of items 11000 to 11005, 11503, 11700 to 11709, 11713 and 12203 is provided to the patient

##### **3 Clause 2.35.1 of Schedule 1**

Omit “home-based sleep studies”, substitute “the service described in item 12250”.

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## Part 2—Botulinum toxin

### *Health Insurance (General Medical Services Table) Regulation 2014*

#### **4 Subclause 2.42A.1(1) of Schedule 1**

Repeal the subclause, substitute:

- (1) Items 18350 to 18354, 18361, 18362 and 18370 to 18379 do not apply to an injection of botulinum toxin provided in a service mentioned in the item if the botulinum toxin is not administered in accordance with the *National Health (Botulinum Toxin Program) Special Arrangement 2011*.

#### **5 Subclause 2.42A.1(2) of Schedule 1**

Omit “18377”, substitute “18379”.

#### **6 Schedule 1 (items 18350 to 18377)**

Repeal the items, substitute:

18350	Botulinum Toxin Type A Purified Neurotoxin Complex (Botox), injection of, for the treatment of hemifacial spasm in a patient who is at least 12 years of age, including all such injections on any one day	124.85
18351	Clostridium Botulinum Type A Toxin-Haemagglutin Complex (Dysport), injection of, for the treatment of hemifacial spasm in a patient who is at least 18 years of age, including all such injections on any one day	124.85
18352	Botulinum Toxin Type A Purified Neurotoxin Complex (Botox) or Clostridium Botulinum Type A Toxin-Haemagglutin Complex (Dysport), injection of, for the treatment of cervical dystonia (spasmodic torticollis), including all such injections on any one day	249.75
18354	Botulinum Toxin Type A Purified Neurotoxin Complex (Botox) or Clostridium Botulinum Type A Toxin-Haemagglutin Complex (Dysport), injection of, for the treatment of dynamic equinus foot deformity (including equinovarus and equinovulgus) due to spasticity in an ambulant cerebral palsy patient, if:	124.85

**Schedule 1** Amendments

**Part 2** Botulinum toxin

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	(a) the patient is at least 2 years of age; and	
	(b) the treatment is for all or any of the muscles subserving one functional activity and supplied by one motor nerve, with a maximum of 4 sets of injections for the patient on any one day (with a maximum of 2 sets of injections for each lower limb), including all injections per set (Anaes.)	
18360	Botulinum Toxin Type A Purified Neurotoxin Complex (Botox), injection of, for the treatment of moderate to severe focal spasticity if: (a) the patient is at least 18 years of age; and (b) the spasticity is associated with a previously diagnosed neurological disorder; and (c) the treatment is provided as: (i) second line therapy when standard treatment for the condition has failed; or (ii) an adjunct to physical therapy; and (d) the treatment is for all or any of the muscles subserving one functional activity and supplied by one motor nerve, with a maximum of 4 sets of injections for the patient on any one day (with a maximum of 2 sets of injections for each limb), including all injections per set; and (e) the treatment is not provided on the same occasion as a service mentioned in item 18364	124.85
18361	Botulinum Toxin Type A Purified Neurotoxin Complex (Botox), injection of, for the treatment of moderate to severe upper limb spasticity due to cerebral palsy if: (a) the patient is at least 2 years of age; and (b) for a patient who is at least 18 years of age—before the patient turned 18, the patient had commenced treatment for the spasticity with botulinum toxin supplied under the pharmaceutical benefits scheme; and (c) the treatment is for all or any of the muscles subserving one functional activity and supplied by one motor nerve, with a maximum of 4 sets of injections for the patient on any one day (with a maximum of 2 sets of injections for each upper limb), including all injections per set (Anaes.)	124.85
18362	Botulinum Toxin Type A Purified Neurotoxin Complex (Botox), injection of, for the treatment of severe primary axillary hyperhidrosis, including all such injections on any one day, if: (a) the patient is at least 12 years of age; and	246.70

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	(b) the patient has been intolerant of, or has not responded to, topical aluminium chloride hexahydrate; and	
	(c) the patient has not had treatment with botulinum toxin within the immediately preceding 4 months; and	
	(d) if the patient has had treatment with botulinum toxin within the previous 12 months—the patient had treatment on no more than 2 separate occasions (Anaes.)	

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18364	<p>Botulinum Toxin Type A Purified Neurotoxin Complex (Botox) or Clostridium Botulinum Type A Toxin-Haemagglutinin Complex (Dysport), injection of, for the treatment of moderate to severe spasticity of the upper limb following a stroke, if:</p> <p>(a) the patient is at least 18 years of age; and</p> <p>(b) the treatment is provided as:</p> <p style="padding-left: 20px;">(i) second line therapy when standard treatment for the condition has failed; or</p> <p style="padding-left: 20px;">(ii) an adjunct to physical therapy; and</p> <p>(c) the patient does not have established severe contracture in the limb that is to be treated; and</p> <p>(d) the treatment is for all or any of the muscles subserving one functional activity and supplied by one motor nerve, with a maximum of 4 sets of injections for the patient on any one day (with a maximum of 2 sets of injections for each upper limb), including all injections per set; and</p> <p>(e) for a patient who has received treatment on 2 previous separate occasions—the patient has responded to the treatment</p>	124.85
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18366	<p>Botulinum Toxin Type A Purified Neurotoxin Complex (Botox), injection of, for the treatment of strabismus, including all such injections on any one day and associated electromyography (Anaes.)</p>	156.40
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18368	<p>Botulinum Toxin Type A Purified Neurotoxin Complex (Botox), injection of, for the treatment of spasmodic dysphonia, including all such injections on any one day</p>	267.05
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18370	<p>Botulinum Toxin Type A Purified Neurotoxin Complex (Botox), injection of, for unilateral blepharospasm in a patient who is at least 12 years of age, including all such injections on any one day (Anaes.)</p>	45.05
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18371	<p>Clostridium Botulinum Type A Toxin-Haemagglutinin Complex (Dysport), injection of, for the treatment of unilateral blepharospasm in a patient who is at least 18 years of age, including all such injections on any one day (Anaes.)</p>	45.05
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**Schedule 1 Amendments****Part 2 Botulinum toxin**

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18372	Botulinum Toxin Type A Purified Neurotoxin Complex (Botox), injection of, for the treatment of bilateral blepharospasm, in a patient who is at least 12 years of age, including all such injections on any one day (Anaes.)	124.85
18373	Clostridium Botulinum Type A Toxin-Haemagglutinin Complex (Dysport), injection of, for the treatment of bilateral blepharospasm in a patient who is at least 18 years of age, including all such injections on any one day (Anaes.)	124.85
18375	Botulinum Toxin Type A Purified Neurotoxin Complex (Botox), intravesical injection of, with cystoscopy, for the treatment of urinary incontinence, including all such injections on any one day, if: (a) the urinary incontinence is due to neurogenic detrusor overactivity as demonstrated by urodynamic study of a patient with: (i) multiple sclerosis; or (ii) spinal cord injury; or (iii) for a patient who is at least 18 years of age—spina bifida; and (b) the patient has urinary incontinence that is inadequately controlled by anti-cholinergic therapy, as manifested by having experienced at least 14 episodes of urinary incontinence per week before commencement of treatment; and (c) the patient is willing and able to self-catheterise; and (d) the treatment is not provided on the same occasion as a service mentioned in item 104, 105, 110, 116, 119, 11900 or 11919 For each patient—applicable not more than once except if the patient achieves at least a 50% reduction in urinary incontinence episodes from baseline at any time during the period of 6 to 12 weeks after first treatment (H) (Anaes.)	229.85
18377	Botulinum Toxin Type A Purified Neurotoxin Complex (Botox), injection of, for the treatment of chronic migraine, including all injections in one day, if: (a) the patient is at least 18 years of age; and (b) the patient has experienced an inadequate response, intolerance or contraindication to at least 3 prophylactic migraine medications before commencement of treatment with botulinum toxin, as manifested by an average of 15 or more headache days per month, with at least 8 days of	124.85

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	<p>migraine, over a period of at least 6 months, before commencement of treatment with botulinum toxin</p> <p>For each patient—applicable not more than twice except if the patient achieves and maintains at least a 50% reduction in the number of headache days per month from baseline after 2 treatment cycles (each of 12 weeks duration)</p>	
18379	<p>Botulinum Toxin Type A Purified Neurotoxin Complex (Botox), intravesical injection of, with cystoscopy, for the treatment of urinary incontinence, including all such injections on any one day, if:</p> <p>(a) the urinary incontinence is due to idiopathic overactive bladder in a patient; and</p> <p>(b) the patient is at least 18 years of age; and</p> <p>(c) the patient has urinary incontinence that is inadequately controlled by at least 2 alternative anti-cholinergic agents, as manifested by having experienced at least 14 episodes of urinary incontinence per week before commencement of treatment with botulinum toxin; and</p> <p>(d) the patient is willing and able to self-catheterise; and</p> <p>(e) treatment is not provided on the same occasion as a service mentioned in item 104, 105, 110, 116, 119, 11900 or 11919</p> <p>For each patient—applicable not more than once except if the patient achieves at least a 50% reduction in urinary incontinence episodes from baseline at any time during the period of 6 to 12 weeks after first treatment</p> <p>(H) (Anaes.)</p>	229.85

**7 Schedule 1 (item 36851, column headed “Description”)**

After “18375”, insert “or 18379”.

**8 Schedule 1 (item 37339, column headed “Description”)**

After “18375”, insert “or 18379”.

## Part 3—Assisted reproductive technology

### *Health Insurance (General Medical Services Table) Regulation 2014*

#### 9 Clause 2.37.3 of Schedule 1

Omit “In items 13200 to 13209 and 13212 to 13221:”, substitute “In clause 2.37.4 and items 13200 to 13209, 13215 and 13218:”.

#### 10 Clause 2.37.3 of Schedule 1 (paragraph (b) of the definition of *treatment cycle*)

Repeal the paragraph, substitute:

(b) ends:

- (i) if a service mentioned in item 13212, 13215 or 13221 is provided in connection with the series of treatments—on the day after the day on which the last of those services is provided; or
- (ii) in any other case—not more than 30 days after the day mentioned in subparagraph (a)(i) or (ii).

#### 11 Subclauses 2.37.4(1) and (2) of Schedule 1

Repeal the subclauses, substitute:

- (1) This clause applies if:
  - (a) a service to which an item (the *first item*) in Subgroup 3 of Group T1 applies is provided to a patient during a treatment cycle; and
  - (b) a service mentioned in an item (the *second item*) (other than an item in Subgroup 3 of Group T1) is provided to the patient during the same treatment cycle; and
  - (c) the service mentioned in the second item is associated with the service to which the first item applies.
- (2) The second item does not apply to the service mentioned in that item.

#### 12 Schedule 1 (items 13212, 13215 and 13221)

Omit “conjunction”, substitute “connection”.

**13 Part 3 of Schedule 1 (definition of *treatment cycle*)**

Omit “items 13200 to 13209 and 13212 to 13221”, substitute  
“clause 2.37.4 and items 13200 to 13209, 13215 and 13218”.

## **Part 4—Intra-uterine contraceptive devices**

### ***Health Insurance (General Medical Services Table) Regulation 2014***

#### **14 Schedule 1 (cell at item 35503, column headed “Description”)**

Repeal the cell, substitute:

Intra-uterine contraceptive device, introduction of, if the service is not associated with a service to which another item in this Group applies (other than a service mentioned in item 30062) (Anaes.)

## **Part 5—Rhinoplasty services**

### ***Health Insurance (General Medical Services Table) Regulation 2014***

#### **15 Schedule 1 (item 45632)**

After “cartilages”, insert “for correction of nasal obstruction”.

#### **16 Schedule 1 (item 45635)**

After “only”, insert “, for correction of nasal obstruction or post-traumatic deformity (other than deformity resulting from previous elective cosmetic surgery), or both”.

#### **17 Schedule 1 (item 45641)**

After “nasal cartilage graft”, insert “, for correction of nasal obstruction or post-traumatic deformity (other than deformity resulting from previous elective cosmetic surgery), or both”.

#### **18 Schedule 1 (item 45644)**

Repeal the item, substitute:

45644	Rhinoplasty, total, including correction of all bony and cartilaginous elements of the external nose involving autogenous bone or cartilage graft obtained from distant donor site, including obtaining of graft	1 279.45
	For correction of nasal obstruction or post-traumatic deformity (other than deformity resulting from previous elective cosmetic surgery), or both (H) (Anaes.) (Assist.)	

#### **19 Schedule 1 (item 45650)**

After “of”, insert “, for correction of nasal obstruction, post-traumatic deformity (other than deformity resulting from previous elective cosmetic surgery) or significant developmental deformity”.

## Part 6—Vulvoplasty services

### *Health Insurance (General Medical Services Table) Regulation 2014*

#### **20 Schedule 1 (item 35533)**

Repeal the item, substitute:

35533	Vulvoplasty or labioplasty, for repair of: (a) female genital mutilation; or (b) anomalies associated with major congenital anomalies of the uro-gynaecological tract other than a service associated with a service to which item 35536, 37836, 37050, 37842, 37851 or 43882 applies (H) (Anaes.)	349.85
35534	Vulvoplasty or labioplasty, for localised gigantism if it can be demonstrated that: (a) the structural abnormality is causing significant functional impairment; and (b) non-surgical treatments have failed (H) (Anaes.)	349.85



## **Part 7—Autologous blood injections**

### ***Health Insurance (General Medical Services Table) Regulation 2014***

#### **21 Clause 1.2.7 of Schedule 1 (heading)**

Repeal the heading, substitute:

#### **1.2.7 Application of items—services provided with non-medicare services**

#### **22 After clause 1.2.7 of Schedule 1**

Insert:

#### **1.2.7A Application of items—services provided with autologous injections of blood or blood products**

An item in the table does not apply to a service mentioned in the item if the service is provided to a patient at the same time, or in connection with, an injection of blood or a blood product that is autologous.

#### **23 Schedule 1 (items 13703 and 13706)**

Omit “Administration”, substitute “Transfusion”.

## **Part 8—General Practice Education and Training Limited**

### *Health Insurance (General Medical Services Table) Regulation 2014*

#### **24 After section 6**

Insert:

#### **7 Transitional provisions**

Schedule 1A contains provisions of a transitional nature.

#### **25 Clause 1.1.1A of Schedule 1 (paragraph (f) of the definition of *general practitioner*)**

Repeal the paragraph.

#### **26 Part 3 of Schedule 1 (definition of *GPET*)**

Repeal the definition.

#### **27 After Schedule 1**

Insert:

### **Schedule 1A—Transitional provisions**

Note: See section 7.

## **Part 1 Amendments made by the Health Insurance Legislation Amendment (General Medical Services Table and Other Measures) Regulation 2014**

### **1 Medical practitioners in Prevocational General Practice Placements Program before 1 January 2015**

- (1) This clause applies to a medical practitioner who, immediately before 1 January 2015, was undertaking a placement in general

practice as part of the Prevocational General Practice Placements Program administered by General Practice Education and Training Limited (ACN 095 433 140).

- (2) Despite the amendments made by Part 8 of Schedule 1 to the *Health Insurance Legislation Amendment (General Medical Services Table and Other Measures) Regulation 2014*, the medical practitioner is taken to be a general practitioner (within the meaning of clause 1.1.1A of Part 1 of Schedule 1 to this regulation) until the end of the period of the placement (including any extensions of the placement).
- (3) This Part is repealed on 30 June 2015.

## ***Health Insurance Regulations 1975***

### **28 Subregulation 2(1)**

Insert:

***Health Department*** means the Department administered by the Minister responsible for administering these regulations.

### **29 Subregulations 27(9) and (10)**

Repeal the subregulations.

### **30 After regulation 31**

Insert:

### **32 Transitional provision—amendments made by the *Health Insurance Legislation Amendment (General Medical Services Table and Other Measures) Regulation 2014***

- (1) This regulation applies if:
  - (a) immediately before 1 January 2015, a medical practitioner:
    - (i) was enrolled in, or undertaking, the Australian General Practice Training Program or the Prevocational General Practice Placements Program; and
    - (ii) was registered on the Register of Approved Placements in relation to the Program; and
  - (b) on or after 1 January 2015, the medical practitioner stops being enrolled in, or undertaking, the program.

**Schedule 1** Amendments

**Part 8** General Practice Education and Training Limited

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- (2) For paragraph 3GB(1)(c) of the Act, the medical practitioner's name must be removed from the Register of Approved Placements.
- (3) This regulation is repealed on 30 June 2015.

**31 Part 2 of Schedule 5 (cells at table items 1 to 5, column headed "Body")**

Repeal the cells, substitute:

Health Department

**32 Part 2 of Schedule 5 (table items 6 and 7)**

Repeal the items, substitute:

6	Health Department	Australian General Practice Training Program
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**33 Part 2 of Schedule 5 (table item 13)**

Repeal the item.