



PB 38 of 2015

**National Health (Claims Transmission System
Exemption) Guidelines 2015¹**

National Health Act 1953

I, KIM BESSELL Assistant Secretary, Pharmaceutical Access Branch, Pharmaceutical Benefits Division, Department of Health, delegate of the Minister for Health, make this instrument under subsection 99AAC(2) of the *National Health Act 1953*.

Dated 27 March 2015

KIM BESSELL
Assistant Secretary
Pharmaceutical Access Branch
Pharmaceutical Benefits Division
Department of Health

1 Name of Instrument

- (1) This instrument is the *National Health (Claims Transmission System Exemption) Guidelines 2015*.
- (2) This instrument may also be cited as PB 38 of 2015.

2 Commencement

This instrument commences on 1 April 2015.

3 Repeal

The determination PB 9 of 2000 under subsection 99AAC(2) of the Act, which commenced on 1 July 2000, is repealed.

4 Definitions

In this instrument:

Act means the *National Health Act 1953*.

Claims Transmission System has the same meaning as in section 99AAA of the Act.

CTS non-online claim has the same meaning as in the rules made under subsections 98AC(4) and 99AAA(8) of the Act, as in force immediately before 1 April 2015.

5 Emergency or accessibility exemption

The Secretary may declare in writing under subsection 99AAC(1) of the Act that an approved supplier is exempted from the operation of subsection 99AAA(4) of the Act (being the subsection that requires an approved supplier to use the Claims Transmission System to give information to the Secretary in relation to the supply of pharmaceutical benefits) in respect of the supply of pharmaceutical benefits, at or from particular premises, if:

- (a) the approved supplier applies to the Secretary for exemption; and
- (b) the Secretary is satisfied that it is appropriate to make the declaration due to emergency or otherwise in the interests of accessibility.

6 CTS non-online claim exemption

The Secretary may declare in writing under subsection 99AAC(1) of the Act that an approved supplier is exempted from the operation of subsection 99AAA(4) of the Act (being the subsection that requires an approved supplier to use the Claims Transmission System to give information to the Secretary in relation to the supply of pharmaceutical benefits) in respect of the supply of pharmaceutical benefits at or from particular premises if:

- (a) the approved supplier applies to the Secretary for exemption; and
- (b) the Secretary is satisfied that the approved supplier was, before 1 April 2015, giving information to the Secretary using the Claims Transmission System procedure called CTS non-online claim.

7 Section 5 or 6 exemption – period of exemption

In making a declaration in accordance with section 5 or 6, the Secretary may specify a period for which the exemption is to be effective.

8 Transitional

A declaration made by the Secretary under subsection 99AAC(1) of the Act in accordance with determination PB 9 of 2000 continues in force, with the same period of exemption (if any).

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>.