



# **Health Insurance Legislation Amendment (2017 Measures No. 1) Regulations 2017**

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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 regulations.

Dated 23 March 2017

Peter Cosgrove  
Governor-General

By His Excellency's Command

Greg Hunt  
Minister for Health

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## 1 Name

This instrument is the *Health Insurance Legislation Amendment (2017 Measures No. 1) Regulations 2017*.

## 2 Commencement

- (1) 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.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 May 2017.	1 May 2017

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Health Insurance (General Medical Services Table) Regulation 2016*

#### **1 Schedule 1 (item 6024, column headed “Description”)**

After “20 minutes”, insert “,”.

#### **2 Schedule 1 (item 6058, column headed “Description”)**

Omit “by sexual health medicine specialist in the practice of his or her specialty of at least 20 minutes”, substitute “by a sexual health medicine specialist in the practice of his or her specialty of at least 20 minutes,”.

#### **3 Schedule 1 (items 12021, 12022 and 12024, column headed “Description”)**

After “specialist”, insert “, or consultant physician,”.

#### **4 Schedule 1 (items 30631, 30634 and 30635, column headed “Description”)**

Omit “items 30638, 30641 and 30644 apply”, substitute “item 30638, 30641, 30642 or 30644 applies”.

#### **5 Schedule 1 (after item 30641)**

Insert:

30642	Orchidectomy, radical, unilateral, with or without insertion of testicular prosthesis, other than a service associated with a service to which item 30631, 30634, 30635, 30638, 30641, 30643 or 30644 applies (H) (Anaes.) (Assist.)	521.25
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#### **6 Schedule 1 (item 31340, column headed “Description”, paragraph (b))**

After “item”, insert “31000, 31001, 31002,”.

#### **7 Clause 2.44.15A of Schedule 1**

Repeal the clause.

#### **8 Schedule 1 (item 32213, column headed “Description”, paragraph (b))**

Omit “12 months”, substitute “12 months;”.

#### **9 Schedule 1 (item 32213, column headed “Description”, after paragraph (b))**

Insert:

other than a patient who:

- (c) is medically unfit for surgery; or
- (d) is pregnant or planning pregnancy; or
- (e) has irritable bowel syndrome; or
- (f) has congenital anorectal malformations; or
- (g) has active anal abscesses or fistulas; or
- (h) has anorectal organic bowel disease, including cancer; or

- 
- (i) has functional effects of previous pelvic irradiation; or
  - (j) has congenital or acquired malformations of the sacrum; or
  - (k) has had rectal or anal surgery within the previous 12 months

**10 Schedule 1 (item 32214, column headed “Description”, paragraph (b))**

Omit “12 months”, substitute “12 months;”.

**11 Schedule 1 (item 32214, column headed “Description”, after paragraph (b))**

Insert:

other than a patient who:

- (c) is medically unfit for surgery; or
- (d) is pregnant or planning pregnancy; or
- (e) has irritable bowel syndrome; or
- (f) has congenital anorectal malformations; or
- (g) has active anal abscesses or fistulas; or
- (h) has anorectal organic bowel disease, including cancer; or
- (i) has functional effects of previous pelvic irradiation; or
- (j) has congenital or acquired malformations of the sacrum; or
- (k) has had rectal or anal surgery within the previous 12 months

**12 Schedule 1 (item 32215, column headed “Description”)**

Omit all the words after “by a medical practitioner,”, substitute:

to manage faecal incontinence, other than in a patient who:

- (a) is medically unfit for surgery; or
- (b) is pregnant or planning pregnancy; or
- (c) has irritable bowel syndrome; or
- (d) has congenital anorectal malformations; or
- (e) has active anal abscesses or fistulas; or
- (f) has anorectal organic bowel disease, including cancer; or
- (g) has functional effects of previous pelvic irradiation; or
- (h) has congenital or acquired malformations of the sacrum; or
- (i) has had rectal or anal surgery within the previous 12 months;

—each day

**13 Schedule 1 (item 32216, column headed “Description”, after paragraph (b))**

Insert:

other than a patient who:

- (c) is medically unfit for surgery; or
- (d) is pregnant or planning pregnancy; or
- (e) has irritable bowel syndrome; or
- (f) has congenital anorectal malformations; or
- (g) has active anal abscesses or fistulas; or
- (h) has anorectal organic bowel disease, including cancer; or
- (i) has functional effects of previous pelvic irradiation; or

- (j) has congenital or acquired malformations of the sacrum; or
- (k) has had rectal or anal surgery within the previous 12 months;

**14 Schedule 1 (item 32217, column headed “Description”, paragraph (b))**

Omit “12 months”, substitute “12 months;”.

**15 Schedule 1 (item 32217, column headed “Description”, after paragraph (b))**

Insert:

other than a patient who:

- (c) is medically unfit for surgery; or
- (d) is pregnant or planning pregnancy; or
- (e) has irritable bowel syndrome; or
- (f) has congenital anorectal malformations; or
- (g) has active anal abscesses or fistulas; or
- (h) has anorectal organic bowel disease, including cancer; or
- (i) has functional effects of previous pelvic irradiation; or
- (j) has congenital or acquired malformations of the sacrum; or
- (k) has had rectal or anal surgery within the previous 12 months

**16 Schedule 1 (item 32218, column headed “Description”, paragraph (b))**

Omit “12 months”, substitute “12 months;”.

**17 Schedule 1 (item 32218, column headed “Description”, after paragraph (b))**

Insert:

other than a patient who:

- (c) is medically unfit for surgery; or
- (d) is pregnant or planning pregnancy; or
- (e) has irritable bowel syndrome; or
- (f) has congenital anorectal malformations; or
- (g) has active anal abscesses or fistulas; or
- (h) has anorectal organic bowel disease, including cancer; or
- (i) has functional effects of previous pelvic irradiation; or
- (j) has congenital or acquired malformations of the sacrum; or
- (k) has had rectal or anal surgery within the previous 12 months

**18 Schedule 1 (after item 35729)**

Insert:

35730	Ovarian repositioning for one or both ovaries to preserve ovarian function, prior to gonadotoxic radiotherapy when the treatment volume and dose of radiation have a high probability of causing infertility (H) (Anaes.)	217.80
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**19 Schedule 1 (item 36663, column headed “Description”, subparagraph (b)(ii))**

Omit “treatment;”, substitute “treatment”.

**20 Schedule 1 (item 36663, column headed “Description”)**

Omit “in a patient who is at least 18 years old”.

**21 Schedule 1 (item 36664, column headed “Description”)**

Omit “in a patient who is at least 18 years old—”.

**22 Schedule 1 (item 36666, column headed “Description”, paragraph (b))**

Omit “treatment;”, substitute “treatment”.

**23 Schedule 1 (item 36666, column headed “Description”)**

Omit “in a patient who is at least 18 years old”.

**24 Schedule 1 (item 36667, column headed “Description”, paragraph (b))**

Omit “treatment;”, substitute “treatment”.

**25 Schedule 1 (item 36667, column headed “Description”)**

Omit “in a patient who is at least 18 years old”.

**26 Schedule 1 (item 36668, column headed “Description”, paragraph (b))**

Omit “treatment;”, substitute “treatment”.

**27 Schedule 1 (item 36668, column headed “Description”)**

Omit “in a patient who is at least 18 years old”.

**28 Schedule 1 (after item 41617)**

Insert:

41618	<p>Middle ear implant, partially implantable, insertion of, via mastoidectomy, for patients with:</p> <ul style="list-style-type: none"> <li>(a) stable sensorineural hearing loss; and</li> <li>(b) outer ear pathology that prevents the use of a conventional hearing aid; and</li> <li>(c) a PTA4 of less than 80 dBHL; and</li> <li>(d) bilateral, symmetrical hearing loss with PTA thresholds in both ears within 20 dBHL (0.5-4kHz) of each other; and</li> <li>(e) speech perception discrimination of at least 65% correct for word lists with appropriately amplified sound; and</li> <li>(f) a normal middle ear; and</li> <li>(g) normal tympanometry; and</li> <li>(h) on audiometry, an air-bone gap of less than 10 dBHL (0.5-4kHz) across all frequencies; and</li> </ul>	1 876.95
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- (i) no other inner ear disorders
- (H) (Anaes.) (Assist.)

**29 Schedule 1 (item 42725, column headed “Description”, paragraph (c))**

Omit “membranes”, substitute “membranes;”.

**30 Schedule 1 (item 42725, column headed “Description”, after paragraph (c))**

Insert:

- (d) capsulotomy

**31 Schedule 1 (item 42734, column headed “Description”)**

After “laser”, insert “, and other than a service associated with a service to which item 42725 or 42731 applies”.

**32 Schedule 1 (item 42758, column headed “Description”)**

After “Goniotomy”, insert “for the treatment of primary congenital glaucoma, excluding the minimally invasive implantation of glaucoma drainage devices”.

**33 Schedule 1 (items 42788 and 42789, column headed “Description”)**

After “2 year period”, insert “—other than a service associated with a service to which item 42702 applies”.

**34 Schedule 1 (items 42791 and 42792, column headed “Description”)**

After “fibrinolysis”, insert “, excluding vitreolysis in the posterior vitreous cavity”.

***Health Insurance (Pathology Services Table) Regulation 2016***

**35 Schedule 1 (cell at item 69471, column headed “Pathology service”)**

Repeal the cell, substitute:

Test of cell-mediated immune response in blood for the detection of latent tuberculosis by interferon gamma release assay (IGRA) in the following people:

- (a) a person who has been exposed to a confirmed case of active tuberculosis;
- (b) a person who is infected with human immunodeficiency virus;
- (c) a person who is to commence, or has commenced, tumour necrosis factor (TNF) inhibitor therapy;
- (d) a person who is to commence, or has commenced, renal dialysis;
- (e) a person with silicosis;
- (f) a person who is, or is about to become, immunosuppressed because of a disease, or a medical treatment, not mentioned in paragraphs (a) to (e)

**36 Schedule 1 (item 73336)**

Repeal the item.