

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

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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 |

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 |

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 | Middle ear implant, partially implantable, insertion of, via mastoidectomy, for patients with:  (a) stable sensorineural hearing loss; and  (b) outer ear pathology that prevents the use of a conventional hearing aid; and  (c) a PTA4 of less than 80 dBHL; and  (d) bilateral, symmetrical hearing loss with PTA thresholds in both ears within 20 dBHL (0.5‑4kHz) of each other; and  (e) speech perception discrimination of at least 65% correct for word lists with appropriately amplified sound; and  (f) a normal middle ear; and  (g) normal tympanometry; and  (h) on audiometry, an air‑bone gap of less than 10 dBHL (0.5‑4kHz) across all frequencies; and  (i) no other inner ear disorders  (H) (Anaes.) (Assist.) | 1 876.95 |

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 vitreolyis 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.