



National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Determination 2017

PB 81 of 2017

made under section 84AH of the

National Health Act 1953

Compilation No. 13

Compilation date: 1 September 2021

Includes amendments up to: F2021L01222

Registered: 8 September 2021

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Determination 2017* that shows the text of the law as amended and in force on 1 September 2021 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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1 Name of Instrument

- (1) This instrument is the *National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Determination 2017*.
- (2) This instrument may also be cited as PB 81 of 2017.

4 Authority

This Determination is made under section 84AH of the *National Health Act 1953* (the Act).

5 Definitions

In this Determination:

pharmaceutical item has the meaning given by section 84AB of the Act.

Note: Terms used in this Determination have the same meaning as in the Act – see section 13 of the *Legislation Act 2003*. These terms include:

- listed drug
- form
- manner of administration

6 Exempt items

The pharmaceutical items identified in the Schedule are exempt from statutory price reductions and price disclosure requirements under Division 3A and 3B of Part VII of the Act.

Schedule

| Listed Drug | Form (strength, type, size, etc.) | Manner of administration |
|------------------------------|--|--------------------------|
| Amisulpride | Oral solution 100 mg per mL, 60 mL | Oral |
| Amoxicillin | Powder for paediatric drops 100 mg (as trihydrate) per mL, 20 mL | Oral |
| Artemether with Lumefantrine | Tablet (dispersible) 20 mg-120 mg | Oral |
| Azithromycin | Powder for oral suspension 200 mg (as dihydrate) per 5 mL, 15mL | Oral |
| Atenolol | Oral solution 50 mg in 10 mL, 300 mL | Oral |
| Captopril | Oral solution 5 mg per mL, 95 mL | Oral |
| Carbamazepine | Oral suspension 100 mg per 5 mL, 300 mL | Oral |
| Cefuroxime | Powder for oral suspension 125 mg (as axetil) per 5 mL, 100 mL | Oral |
| Ciclosporin | Oral liquid 100 mg per mL, 50 mL | Oral |
| Ciclosporin | Capsule 10 mg | Oral |
| Ciclosporin | Solution concentrate for I.V. infusion 50 mg in 1 mL | Injection |
| Ciprofloxacin | Ear drops 3 mg (as hydrochloride) per mL, 5 mL | Application to the ear |
| Clarithromycin | Powder for oral liquid 250 mg per 5 mL, 50 mL | Oral |
| Clonazepam | Oral liquid 2.5 mg per mL, 10 mL | Oral |
| Clonazepam | Injection 1 mg in 2 mL (set containing solution 1 mg in 1 mL and 1 mL diluent) | Injection |
| Diazepam | Oral liquid 10 mg per 10 mL, 100 mL | Oral |
| Diclofenac | Suppository containing diclofenac sodium 100 mg | Rectal |
| Digoxin | Paediatric oral solution 50 micrograms per mL, 60 mL | Oral |
| Efavirenz | Oral solution 30 mg per mL, 180 mL | Oral |
| Escitalopram | Oral solution 20 mg (as oxalate) per mL, 15 mL | Oral |
| Ethosuximide | Oral solution 250 mg per 5 mL, 200 mL | Oral |
| Fluconazole | Powder for oral suspension 50 mg in 5 mL, 35 mL | Oral |
| Furosemide | Oral solution 10 mg per mL, 30 mL | Oral |
| Glyceryl Trinitrate | Sublingual spray (pump pack) 400 micrograms per dose, 200 doses | Sublingual |
| Indometacin | Suppository 100 mg | Rectal |
| Mercaptopurine | Oral suspension containing mercaptopurine monohydrate 20 mg per mL, 100 mL | Oral |
| Methadone | Oral liquid containing methadone hydrochloride 25 mg per 5mL, 200 mL | Oral |
| Methadone | Injection containing methadone hydrochloride 10 mg in 1 mL | Injection |
| Metronidazole | Suppositories 500 mg, 10 | Rectal |
| Metronidazole | Oral suspension containing metronidazole benzoate 320 mg | Oral |

| Listed Drug | Form (strength, type, size, etc.) | Manner of administration |
|-------------------|---|--------------------------|
| | per 5 mL, 100 mL | |
| Mycophenolic Acid | Powder for oral suspension containing mycophenolate mofetil 1 g per 5 mL, 165 mL | Oral |
| Naproxen | Oral suspension 125 mg per 5mL, 474 mL | Oral |
| Nevirapine | Oral suspension 50 mg (as hemihydrate) per 5 mL, 240 mL | Oral |
| Ondansetron | Syrup, 4 mg (as hydrochloride dihydrate) per 5 mL, 50mL | Oral |
| Oxycodone | Oral solution containing oxycodone hydrochloride 1 mg per mL, 250 mL | Oral |
| Pantoprazole | Sachet containing granules 40 mg (as sodium sesquihydrate) | Oral |
| Paracetamol | Oral liquid 120 mg per 5 mL, 100 mL | Oral |
| Paracetamol | Oral liquid 240 mg per 5 mL, 200 mL | Oral |
| Paracetamol | Suppository 500 mg | Rectal |
| Prochlorperazine | Injection containing prochlorperazine mesilate 12.5 mg in 1 mL | Injection |
| Ranitidine | Syrup 150 mg (as hydrochloride) per 10 mL, 300 mL | Oral |
| Roxithromycin | Tablet for oral suspension 50 mg | Oral |
| Salbutamol | Oral solution 2 mg (as sulfate) per 5 mL, 150 mL | Oral |
| Salbutamol | Pressurised inhalation in breath actuated device 100 micrograms (as sulfate) per dose, 200 doses (CFC-free formulation) | Inhalation by mouth |
| Terbinafine | Cream containing terbinafine hydrochloride 10 mg per g, 15 g | Application |
| Tramadol | Oral drops containing tramadol hydrochloride 100 mg per mL, 10 mL | Oral |
| Valganciclovir | Powder for oral solution 50 mg (as hydrochloride) per mL, 100 mL | Oral |
| Valproic Acid | Tablet, crushable, containing sodium valproate 100 mg | Oral |
| Valproic Acid | Oral liquid containing sodium valproate 200 mg per 5mL, 300 mL | Oral |
| Valproic Acid | Oral solution containing sodium valproate 200 mg per 5mL, 300 mL | Oral |
| Voriconazole | Powder for oral suspension 40 mg per mL, 70 mL | Oral |

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

| | |
|---|---|
| ad = added or inserted | o = order(s) |
| am = amended | Ord = Ordinance |
| amdt = amendment | orig = original |
| c = clause(s) | par = paragraph(s)/subparagraph(s) /sub-subparagraph(s) |
| C[x] = Compilation No. x | pres = present |
| Ch = Chapter(s) | prev = previous |
| def = definition(s) | (prev...) = previously |
| Dict = Dictionary | Pt = Part(s) |
| disallowed = disallowed by Parliament | r = regulation(s)/rule(s) |
| Div = Division(s) | reloc = relocated |
| ed = editorial change | renum = renumbered |
| exp = expires/expired or ceases/ceased to have effect | rep = repealed |
| F = Federal Register of Legislation | rs = repealed and substituted |
| gaz = gazette | s = section(s)/subsection(s) |
| LA = <i>Legislation Act 2003</i> | Sch = Schedule(s) |
| LIA = <i>Legislative Instruments Act 2003</i> | Sdiv = Subdivision(s) |
| (md) = misdescribed amendment can be given effect | SLI = Select Legislative Instrument |
| (md not incorp) = misdescribed amendment cannot be given effect | SR = Statutory Rules |
| mod = modified/modification | Sub-Ch = Sub-Chapter(s) |
| No. = Number(s) | SubPt = Subpart(s) |
| | <u>underlining</u> = whole or part not commenced or to be commenced |

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

| Name | Registration | Commencement | Application, saving and transitional provisions |
|---|-------------------------------|--------------------|---|
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Determination 2017 (PB 81 of 2017) | 26 Sept 2017 (F2017L01265) | 26 Sept 2017 (s 2) | |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2017 (No. 1) (PB 90 of 2017) | 30 Oct 2017 (F2017L01400) | 1 Nov 2017 (s 2) | — |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2018 (No. 1) (PB 45 of 2018) | 31 May 2018 (F2018L00694) | 1 June 2018 (s 2) | — |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2018 (No. 2) (PB 61 of 2018) | 29 June 2018 (F2018L00958) | 1 July 2018 (s 2) | — |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2018 (No. 3) (PB 72 of 2018) | 1 Aug 2018 (F2018L01074) | 1 Aug 2018 (s 2) | — |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2018 (No. 4) (PB 97 of 2018) | 26 Oct 2018 (F2018L01484) | 1 Nov 2018 (s 2) | — |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2019 (No. 1) (PB 27 of 2019) | 28 Mar 2019 (F2019L00451) | 1 Apr 2019 (s 2) | — |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2019 (No. 2) (PB 44 of 2019) | 30 May 2019 (F2019L00705) | 1 June 2019 (s 2) | — |

Endnote 3—Legislation history

| Name | Registration | Commencement | Application, saving and transitional provisions |
|--|-------------------------------|-----------------------------|--|
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2020 (No. 1) (PB 51 of 2020) | 29 May 2020 (F2020L00651) | 1 June 2020 (s 2) | — |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2020 (No. 2) (PB 63 of 2020) | 30 June 2020 (F2020L00844) | 1 July 2020 (s 2) | — |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2020 (No. 3) (PB 120 of 2020) | 27 Nov 2020 (F2020L01494) | 1 Dec 2020 (s 2(1) item 1) | — |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2021 (No. 1) (PB 36 of 2021) | 31 Mar 2021 (F2021L00385) | 1 Apr 2021 (s 2(1) item 1) | — |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2021 (No. 2) (PB 68 of 2021) | 30 June 2021 (F2021L00932) | 1 July 2021 (s 2(1) item 1) | — |
| National Health (Pharmaceutical Benefits Scheme-Exempt items - Section 84AH) Amendment Determination 2021 (No. 3) (PB 96 of 2021) | 31 Aug 2021 (F2021L01222) | 1 Sept 2021 (s 2(1) item 1) | — |

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

| Provision affected | How affected |
|---------------------------|--|
| s 2 | rep LA s 48D |
| s 3 | rep LA s 48C |
| Schedule | |
| Schedule | am F2017L01400; F2018L00694; F2018L00958; F2018L01074; F2018L01484; F2019L00451; F2019L00705; F2020L00651; F2020L00844; F2020L01494; F2021L00385; F2021L00932; F2021L01222 |
