



Health Insurance Legislation Amendment (2017 Measures No. 3) 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 02 November 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. 3) 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 December 2017.	1 December 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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Part 1—Cervical screening

Health Insurance (General Medical Services Table) Regulations 2017

1 Division 2.19 of Schedule 1 (Subgroup 1 of Group A18 table, heading)

Repeal the heading, substitute:

Subgroup 1—Collection of a cervical screening specimen from an unscreened or significantly underscreened person

2 Schedule 1 (cell at item 2497, column headed “Description”)

Repeal the cell, substitute:

Professional attendance at consulting rooms by a general practitioner:

- (a) involving taking a short patient history and, if required, limited examination and management; and
- (b) at which a specimen for a cervical screening service is collected from the patient;

if the patient is at least 24 years and 9 months of age but is less than 75 years of age and has not been provided with a cervical screening service or a cervical smear service in the last 4 years.

3 Schedule 1 (items 2501, 2503, 2504, 2506, 2507 and 2509, column headed “Description”)

Omit “at which a papanicolaou smear is taken from a person at least 20 years old and not older than 69 years old, who has not had a papanicolaou smear in the last 4 years”, substitute “at which a specimen for a cervical screening service is collected from the patient, if the patient is at least 24 years and 9 months of age but is less than 75 years of age and has not been provided with a cervical screening service or a cervical smear service in the last 4 years”.

4 Division 2.19 of Schedule 1 (Subgroup 1 of Group A19 table, heading)

Repeal the heading, substitute:

Subgroup 1—Collection of a cervical screening specimen from an unscreened or significantly underscreened person

5 Schedule 1 (item 2598, column headed “Description”)

Omit “at which a cervical smear is taken from a person between the ages of 20 and 69 years (inclusive) who has not had a cervical smear in the last 4 years”, substitute “at which a specimen for a cervical screening service is collected from the patient, if the patient is at least 24 years and 9 months of age but is less than 75 years of age and has not been provided with a cervical screening service or a cervical smear service in the last 4 years”.

6 Schedule 1 (items 2600, 2603, 2606, 2610, 2613 and 2616, column headed “Description”)

Omit “at which a cervical smear is taken from a person between the ages of 20 and 69 (inclusive) who has not had a cervical smear in the last 4 years”, substitute “at which a specimen for a cervical screening service is collected from the patient, if the patient is at least 24 years and 9 months of age but is less than 75 years of age and has not been provided with a cervical screening service or a cervical smear service in the last 4 years”.

7 Schedule 1 (item 35614, column headed “Description”)

After “smear”, insert “, an abnormal result from a cervical screening service”.

8 Clause 3.1 of Schedule 1

Insert:

cervical screening service means a service to which item 73070, 73071, 73072, 73073, 73074, 73075 or 73076 of the pathology services table applies.

cervical smear service means a service to which former item 73053, 73055, 73057 or 73069 of the pathology services table applied.

Health Insurance (Pathology Services Table) Regulations 2017

9 Subclause 1.2.6(1) of Schedule 1 (definition of set of pathology services)

Repeal the definition.

10 Clause 1.2.7 of Schedule 1 (heading)

Repeal the heading, substitute:

1.2.7 Definition of set of pathology services

11 Subclause 1.2.7(1) of Schedule 1 (paragraph (d) of the definition of set of pathology services)

Omit “73053, 73055 or 73069”, substitute “73070, 73071, 73072, 73073, 73074, 73075 or 73076”.

12 Paragraph 1.2.7(2)(b) of Schedule 1

Omit “69419,”.

13 Subclause 2.3.4(3) of Schedule 1

Repeal the subclause.

14 Schedule 1 (items 69418 and 69419)

Repeal the items.

15 Subparagraph 2.5.2(1)(a)(iii) of Schedule 1

Omit “73053, 73055, 73057 or 73069”, substitute “73070, 73071, 73072, 73073, 73074, 73075 or 73076”.

16 Schedule 1 (item 73045, column headed “Pathology service”)

Omit “73053 or 73069”, substitute “73076”.

17 Schedule 1 (items 73053, 73055 and 73057)

Repeal the items.

18 Schedule 1 (item 73069)

Repeal the item, substitute:

73070	A test, including partial genotyping, for oncogenic human papillomavirus that may be associated with cervical pre-cancer or cancer: (a) performed on a liquid based cervical specimen; and (b) for an asymptomatic patient who is at least 24 years and 9 months of age For any particular patient, once only in a 57 month period	35.00
73071	A test, including partial genotyping, for oncogenic human papillomavirus that may be associated with cervical pre-cancer or cancer: (a) performed on a self-collected vaginal specimen; and (b) for an asymptomatic patient who is at least 30 years of age For any particular patient, once only in a 7 year period	35.00
73072	A test, including partial genotyping, for oncogenic human papillomavirus, performed on a liquid based cervical specimen: (a) for the investigation of a patient in a specific population that appears to have a higher risk of cervical pre-cancer or cancer; or (b) for the follow-up management of a patient with a previously detected oncogenic human papillomavirus infection or cervical pre-cancer or cancer; or (c) for the investigation of a patient with symptoms suggestive of cervical cancer; or (d) for the follow-up management of a patient after treatment of high grade squamous intraepithelial lesions or adenocarcinoma in situ of the cervix; or (e) for the follow-up management of a patient with glandular abnormalities; or (f) for the follow-up management of a patient exposed to diethylstilboestrol in utero	35.00
73073	A test, including partial genotyping, for oncogenic human papillomavirus: (a) performed on a self-collected vaginal specimen; and (b) for the follow-up management of a patient with oncogenic human papillomavirus infection or cervical pre-cancer or cancer that was detected by a test to which item 73071 applies For any particular patient, once only in a 21 month period	35.00
73074	A test, including partial genotyping, for oncogenic human papillomavirus: (a) performed on a liquid based vaginal vault specimen; and (b) for the investigation of a patient following a total hysterectomy	35.00
73075	A test, including partial genotyping, for oncogenic human papillomavirus, if: (a) the test is a repeat of a test to which item 73070, 73071, 73072, 73073, 73074 or this item applies; and (b) the specimen collected for the previous test is unsatisfactory	35.00
73076	Cytology of a liquid-based cervical or vaginal vault specimen, where the	46.00

stained cells are examined microscopically or by automated image analysis by or on behalf of a pathologist, if:

- (a) the cytology is associated with the detection of oncogenic human papillomavirus infection by:
 - (i) a test to which item 73070, 73071, 73073, 73074 or 73075 applies; or
 - (ii) a test to which item 73072 applies for a patient mentioned in paragraph (a) or (b) of that item; or
- (b) the cytology is associated with a test to which item 73072 applies for a patient mentioned in paragraph (c), (d), (e) or (f) of that item; or
- (c) the cytology is associated with a test to which item 73074 applies; or
- (d) the test is a repeat of a test to which this item applies, if the specimen collected for the previous test is unsatisfactory; or
- (e) the cytology is for the follow-up management of a patient treated for endometrial adenocarcinoma

19 Schedule 1 (items 73922 and 73923)

Omit “73053, 73055, 73057 or 73069”, substitute “73070, 73071, 73072, 73073, 73074, 73075 or 73076”.

20 Clause 3.1 of Schedule 1 (table)

Repeal:

Cervix—cytology—abnormalities	CCRA	73055
Cervix—cytology—routine	CCR	73053

21 Clause 3.1 of Schedule 1 (table)

Repeal:

Cytology—from cervix—abnormalities	CCRA	73055
Cytology—from cervix—routine	CCR	73053

22 Clause 3.1 of Schedule 1 (table)

Repeal:

Cytology—from vagina	CVO	73057
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23 Clause 3.1 of Schedule 1 (table)

Insert:

Diethylstilboestrol	DES	73072
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24 Clause 3.1 of Schedule 1 (table item dealing with Human papillomaviruses)

Omit “69418”, substitute “73070, 73071, 73072, 73073, 73074, 73075”.

25 Clause 3.1 of Schedule 1 (table item dealing with Liquid based cytology)

Omit “73069”, substitute “73076”.

26 Clause 3.1 of Schedule 1 (table)

Repeal:

Pap smear	CCR	73053
Papanicolaou test	CCR	73053

27 Clause 3.1 of Schedule 1 (table)

Repeal:

Vagina—cytology on specimens from	CVO	73057
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28 At the end of Schedule 1

Add:

Part 6—Application and transitional provisions

6.1 Application—amendments made by Part 1 of the *Health Insurance Legislation Amendment (2017 Measures No. 3) Regulations 2017*

Despite the amendments made by Part 1 of the *Health Insurance Legislation Amendment (2017 Measures No. 3) Regulations 2017*, this table, as in force immediately before 1 December 2017, continues to apply in relation to cytology mentioned in former item 73053, 73055, 73057 or 73069:

- (a) that was requested before 1 December 2017; and
- (b) that is performed on or after 1 December 2017 and before 1 February 2018.

Health Insurance Regulations 1975

29 Subregulation 11A(1)

Omit “73053”, substitute “73070, 73071, 73075, 73076”.

Part 2—Hepatitis C testing

Health Insurance (Pathology Services Table) Regulations 2017

30 Schedule 1 (item 69488, column headed “Pathology service”)

Omit “if the test is requested by, or on the advice of, the specialist or consultant physician who manages the treatment of the patient”.

31 Schedule 1 (cell at item 69491, column headed “Pathology service”)

Repeal the cell, substitute:

Nucleic acid amplification and determination of hepatitis C virus (HCV) genotype, if the patient is HCV RNA positive and is being evaluated for antiviral therapy of chronic HCV hepatitis

Part 3—Bone densitometry

Health Insurance (General Medical Services Table) Regulations 2017

32 Schedule 1 (item 12320, column headed “Description”, paragraph (b))

Repeal the paragraph, substitute:

(b) either:

- (i) the patient has not previously had bone densitometry; or
- (ii) the t-score for the patient’s bone mineral density is -1.5 or more;

33 Schedule 1 (item 12322, column headed “Description”, paragraph (b))

Repeal the paragraph, substitute:

(b) the t-score for the patient’s bone mineral density is less than -1.5 but more than -2.5;