



Health Insurance Legislation Amendment (After Hours Services) Regulations 2018

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 29 January 2018

Peter Cosgrove
Governor-General

By His Excellency's Command

Greg Hunt
Minister for Health

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
Schedule 1—Amendments		2
	<i>Health Insurance (General Medical Services Table) Regulations 2017</i>	2
	<i>Health Insurance Regulations 1975</i>	6

1 Name

This instrument is the *Health Insurance Legislation Amendment (After Hours Services) Regulations 2018*.

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 March 2018.	1 March 2018

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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) Regulations 2017

1 Subclause 1.2.4(1) of Schedule 1

Omit “597”, substitute “585”.

2 Clause 2.15.1 of Schedule 1 (heading)

Repeal the heading, substitute:

2.15.1 Meaning of *patient’s medical condition requires urgent assessment*

3 Subclause 2.15.1(1) of Schedule 1

Repeal the subclause, substitute:

- (1) A *patient’s medical condition requires urgent assessment* if:
 - (a) medical opinion is to the effect that the patient’s medical condition requires assessment within the unbroken after-hours period in which the attendance mentioned in the item was requested; and
 - (b) assessment could not be delayed until the start of the next in-hours period.

4 Clause 2.15.2 of Schedule 1

Omit “597”, substitute “585”.

5 Clause 2.15.3 of Schedule 1

Omit “Items 597”, substitute “(1) Items 585”.

6 At the end of clause 2.15.3 of Schedule 1

Add:

- (2) Item 585, 588, 591, 599 or 600 applies to a service only if the practitioner keeps a record of the assessment of the patient.

7 Clause 2.15.4 of Schedule 1

Repeal the clause, substitute:

2.15.4 Meaning of *after-hours rural area*

An *after-hours rural area* means an area that is a Modified Monash 3 area, Modified Monash 4 area, Modified Monash 5 area, Modified Monash 6 area or Modified Monash 7 area.

2.15.5 References to general practitioner in items do not include certain participants in After Hours Other Medical Practitioners Program

For items 585 to 594, a reference to a general practitioner does not include a reference to an eligible non-vocationally recognised medical practitioner registered under the After Hours Other Medical Practitioners Program (within the meaning of subclause 1.1.1(2)) who provides services through a medical deputising service.

8 Schedule 1 (items 597 to 600)

Repeal the items, substitute:

585	Professional attendance by a general practitioner on one patient on one occasion—each attendance (other than an attendance in unsociable hours) in an after-hours period if: (a) the attendance is requested by the patient or a responsible person in the same unbroken after-hours period; and (b) the patient’s medical condition requires urgent assessment; and (c) if the attendance is at consulting rooms—it is necessary for the practitioner to return to, and specially open, the consulting rooms for the attendance	129.80
588	Professional attendance by a medical practitioner (other than a general practitioner) on one patient on one occasion—each attendance (other than an attendance in unsociable hours) in an after-hours period if: (a) the attendance is requested by the patient or a responsible person in the same unbroken after-hours period; and (b) the patient’s medical condition requires urgent assessment; and (c) the attendance is in an after-hours rural area; and (d) if the attendance is at consulting rooms—it is necessary for the practitioner to return to, and specially open, the consulting rooms for the attendance	129.80
591	Professional attendance by a medical practitioner (other than a general practitioner) on one patient on one occasion—each attendance (other than an attendance in unsociable hours) in an after-hours period if: (a) the attendance is requested by the patient or a responsible person in the same unbroken after-hours period; and (b) the patient’s medical condition requires urgent assessment; and (c) the attendance is not in an after-hours rural area; and (d) if the attendance is at consulting rooms—it is necessary for the practitioner to return to, and specially open, the consulting rooms for the attendance	100.00
594	Professional attendance by a medical practitioner—each additional patient at an attendance that qualifies for item 585, 588 or 591 in relation to the first patient	41.95
599	Professional attendance by a general practitioner on not more than one patient on one occasion—each attendance in unsociable hours if: (a) the attendance is requested by the patient or a responsible person in the same unbroken after-hours period; and (b) the patient’s medical condition requires urgent assessment; and (c) if the attendance is at consulting rooms—it is necessary for the practitioner to return to, and specially open, the consulting rooms for the attendance	153.00
600	Professional attendance by a medical practitioner (other than a general practitioner) on not more than one patient on one occasion—each attendance in unsociable hours if: (a) the attendance is requested by the patient or a responsible person in the same unbroken after-hours period; and (b) the patient’s medical condition requires urgent assessment; and (c) if the attendance is at consulting rooms—it is necessary for the practitioner to return to, and specially open, the consulting rooms for the attendance	124.25

9 Paragraph 2.17.10A(b) of Schedule 1

Omit “597, 598”, substitute “585, 588, 591, 594”.

10 Schedule 1 (item 10992, column headed “Description”)

Omit “597, 598”, substitute “585, 588, 591, 594”.

11 Clause 3.1 of Schedule 1

Insert:

2013 estimated resident population means the preliminary estimated resident population as at 30 June 2013, as published by the Australian Bureau of Statistics.

after-hours rural area has the meaning given by clause 2.15.4.

ASGS means the July 2011 edition of the Australian Statistical Geography Standard, published by the Australian Bureau of Statistics, as existing on 1 March 2018.

Modified Monash 2 area means a Statistical Area Level 1 under the ASGS that:

- (a) is categorised under the ASGS as RA 1 (Inner Regional Australia) or RA 2 (Outer Regional Australia); and
- (b) satisfies any of the following criteria:
 - (i) the area is in an Urban Centre and Locality with a 2013 estimated resident population of more than 50,000;
 - (ii) the area is in an Urban Centre and Locality, the geographic centre of which is no more than 20 kilometres road distance from the boundary of another Urban Centre and Locality with a 2013 estimated resident population of more than 50,000;
 - (iii) the area is not in an Urban Centre and Locality, but the geographic centre of the area is no more than 20 kilometres road distance from the boundary of an Urban Centre and Locality with a 2013 estimated resident population of more than 50,000; and
- (c) is not a Modified Monash 7 area.

Modified Monash 3 area means a Statistical Area Level 1 under the ASGS that:

- (a) is categorised under the ASGS as RA 1 (Inner Regional Australia) or RA 2 (Outer Regional Australia); and
- (b) satisfies any of the following criteria:
 - (i) the area is in an Urban Centre and Locality with a 2013 estimated resident population of more than 15,000 but no more than 50,000;
 - (ii) the area is in an Urban Centre and Locality, the geographic centre of which is no more than 15 kilometres road distance from the boundary of another Urban Centre and Locality with a 2013 estimated resident population of more than 15,000 but no more than 50,000;
 - (iii) the area is not in an Urban Centre and Locality, but the geographic centre of the area is no more than 15 kilometres road distance from the boundary of an Urban Centre and Locality with a 2013 estimated resident population of more than 15,000 but no more than 50,000; and
- (c) is not a Modified Monash 2 area or Modified Monash 7 area.

Modified Monash 4 area means a Statistical Area Level 1 under the ASGS that:

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- (a) is categorised under the ASGS as RA 1 (Inner Regional Australia) or RA 2 (Outer Regional Australia); and
 - (b) satisfies any of the following criteria:
 - (i) the area is in an Urban Centre and Locality with a 2013 estimated resident population of at least 5,000 but no more than 15,000;
 - (ii) the area is in an Urban Centre and Locality, the geographic centre of which is no more than 10 kilometres road distance from the boundary of another Urban Centre and Locality with a 2013 estimated resident population of at least 5,000 but no more than 15,000;
 - (iii) the area is not in an Urban Centre and Locality, but the geographic centre of the area is no more than 10 kilometres road distance from the boundary of an Urban Centre and Locality with a 2013 estimated resident population of at least 5,000 but no more than 15,000; and
 - (c) is not a Modified Monash 2 area, Modified Monash 3 area or Modified Monash 7 area.

Modified Monash 5 area means a Statistical Area Level 1 under the ASGS that:

- (a) is categorised under the ASGS as RA 1 (Inner Regional Australia) or RA 2 (Outer Regional Australia); and
- (b) is not a Modified Monash 2 area, Modified Monash 3 area, Modified Monash 4 area or Modified Monash 7 area.

Modified Monash 6 area means a Statistical Area Level 1 under the ASGS that:

- (a) is categorised under the ASGS as RA 3 (Remote Australia); and
- (b) is not a Modified Monash 7 area.

Modified Monash 7 area means a Statistical Area Level 1 under the ASGS that:

- (a) is entirely located on an island or islands more than 5 kilometres from the Australian mainland or Tasmania, as measured between coastlines at the low water mark; or
- (b) is located on Magnetic Island; or
- (c) is categorised under the ASGS as RA 4 (Very Remote Australia).

patient's medical condition requires urgent assessment has the meaning given by clause 2.15.1.

12 Clause 3.1 of Schedule 1 (definition of *patient's medical condition requires urgent treatment*)

Repeal the definition.

13 Clause 3.1 of Schedule 1 (definition of *responsible person*)

Omit "597", substitute "585".

14 Clause 3.1 of Schedule 1

Insert:

Urban Centre and Locality means an area defined as an Urban Centre and Locality under the ASGS.

Health Insurance Regulations 1975

15 Schedule 6 (table item 6, column headed “Item of the general medical services table”)

Omit “597, 598”, substitute “585, 588, 591, 594”.