



Military Rehabilitation and Compensation Commission

## **Military Rehabilitation and Compensation (Coordinated Veterans' Care Mental Health Pilot) Determination 2018**

Instrument 2018 No. MRCC 41

The Military Rehabilitation and Compensation Commission, under subsection 287A(2) of the *Military Rehabilitation and Compensation Act 2004*, makes the following instrument.

Dated this 5th of April 2018

The Seal of the  
Military Rehabilitation and Compensation Commission )  
was affixed hereto in the ) SEAL  
presence of: )

Simon Lewis

C Orme

MA Kelly

.....  
**SIMON LEWIS**  
PSM  
CHAIR

.....  
**CRAIG ORME**  
DSC AM CSC  
MEMBER

.....  
**MAJOR GENERAL MARK KELLY**  
AO DSC  
MEMBER

B Wolski

Jennifer Taylor

.....  
**REAR ADMIRAL BRETT WOLSKI**  
AM  
MEMBER

.....  
**JENNIFER TAYLOR**  
MEMBER

## 1 Name

This instrument is the *Military Rehabilitation and Compensation (Coordinated Veterans' Care Mental Health Pilot) Determination 2018*.

## 2 Commencement

This instrument commences immediately after the commencement of Schedule 3 to the *Veterans' Affairs Legislation Amendment (Veteran-centric Reforms No. 1) Bill 2018*.

*Note:* Section 2 of the *Veterans' Affairs Legislation Amendment (Budget Measures) Act 2017* provides for Schedule 3 to that Act to commence on the 28th day after the Act receives the Royal Assent.

## 3 Authority

This instrument is made under subsection 287A(2) of the *Military Rehabilitation and Compensation Act 2004*.

## 4 Purpose

The purpose of this instrument is to determine a class of persons who will be entitled (subject to further selection by the *Commission*) for services under the program established by the Commonwealth and known as the Coordinated Veterans' Care Mental Health Pilot.

*Note 1:* The *Commission* is empowered, under paragraph 287A(1)(b) of the *Act* to determine in writing that section 287A of the *Act* applies to a person who falls within the class determined by this instrument. The effect of paragraph 287A(1)(b) of the *Act* is to enable the *Commission*, by determination in writing, to select persons from the class determined by this instrument to be provided with services under the Coordinated Veterans' Care Mental Health Pilot.

*Note 2:* Details of the Coordinated Veterans' Care Mental Health Pilot can be found at:

<https://www.dva.gov.au/providers/provider-programs/coordinated-veterans-care/cvc-mental-health-pilot-information-providers>

## 5 Definitions

In this instrument:

*Act* means the *Military Rehabilitation and Compensation Act 2004*.

***anxiety disorder*** means the disorder described as an anxiety disorder in Statement of Principles No.102 of 2014 (paragraph 3 (b)) or in Statement of Principles No.103 of 2014 (paragraph 3(b)) in force from time to time; or described as an anxiety disorder in any subsequent Statement of Principles in force from time to time.

***Commission*** means the body corporate known as the Military Rehabilitation and Compensation Commission established under section 361 of the *Act*.

***depressive disorder*** means the disorder described as a depressive disorder in Statement of Principles No. 83 of 2015 (subsection 7(2)) or in Statement of Principles No. 84 of 2015 (subsection 7(2)) in force from time to time; or described as a depressive disorder in any subsequent Statement of Principles in force from time to time.

***White Card*** means the Health Card known as the Repatriation Health Card – For Specific Conditions issued by the Department to indicate eligibility for funding of treatment for:

- (a) a *service injury or disease* under the *Act*; or
- (b) a war-caused or defence-caused injury or disease, or a specified condition, under the *Veterans' Entitlements Act 1986*; or
- (c) a mental health condition on a non-liability health care basis.

*Note: The following terms used in this instrument are defined in the Act:*

*former member (s5(1))*

*Permanent Forces (s5(1))*

*Reserves (s5(1))*

*service injury or disease (s5(1))*

## **6 Determined class of persons**

For the purposes of paragraph 287A(1)(a) of the Act, the following class of persons is determined:

A person who:

- (a) is a *former member* or has separated from the *Permanent Forces* (for whatever reason) and is a member of the *Reserves*; and
- (b) is an Australian resident living in Australia; and
- (c) has:
  - (i) a mild to moderate form of *anxiety disorder* or a mild to moderate form of *depressive disorder*; and
  - (ii) a chronic physical condition accompanied by pain; and
- (d) is, in the opinion of the person's general practitioner, likely to benefit from participation in the Coordinated Veterans' Care Mental Health Pilot; and
- (e) has been issued with a *White Card*.