



Health Insurance Legislation Amendment (2018 Measures No. 2) 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 07 June 2018

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 (2018 Measures No. 2) 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. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	14 June 2018
2. Schedule 1	Immediately after the commencement of the <i>Health Insurance (General Medical Services Table) Regulations 2018</i> .	1 July 2018
3. Schedule 2, item 1	Immediately after the commencement of the <i>Health Insurance (General Medical Services Table) Regulations 2018</i> .	1 July 2018
4. Schedule 2, items 2 to 7	Immediately after the commencement of the <i>Health Insurance (Diagnostic Imaging Services Table) Regulations 2018</i> .	1 July 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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 relating to medical practitioners

Health Insurance (General Medical Services Table) Regulations 2018

1 Subclauses 2.8.1(1) and (2) of Schedule 1

Omit “medical practitioners”, substitute “general practitioners, specialists or consultant physicians”.

2 Subclause 2.8.1(2) of Schedule 1

Omit “practitioner”, substitute “general practitioner, specialist or consultant physician”.

3 Schedule 1 (items 170 to 172, column 2)

Omit “medical practitioner”, substitute “general practitioner, specialist or consultant physician”.

4 Division 2.10 of Schedule 1 (at the end of the heading)

Add “and Non-Specialist Practitioner Items”.

5 Division 2.10 of Schedule 1 (Group A7 table, at the end of the table heading)

Add “and Non-Specialist Practitioner Items”.

6 Division 2.10 of Schedule 1 (Group A7 table, before item 173)

Insert:

Subgroup 1—Acupuncture

7 Clause 2.17.1 of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

8 Subclauses 2.17.5(1) and (3) of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

9 Paragraphs 2.17.6(2)(a), 2.17.7(2)(a), 2.17.8(3)(c) and (d), 2.17.9(2)(a), 2.17.11(2)(a), 2.17.12(2)(a) and 2.17.13(2)(a) of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

10 Subclause 2.17.14(3) of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

11 Subclause 2.17.14(4) of Schedule 1

Omit “medical practitioners”, substitute “general practitioners”.

12 Subclause 2.17.14(4) of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

13 Paragraph 2.17.14(5)(b) of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

14 Schedule 1 (items 701 to 715, column 2)

Omit “medical practitioner”, substitute “general practitioner”.

15 Clause 2.18.2 of Schedule 1

Repeal the clause, substitute:

2.18.2 Meaning of *associated general practitioner*

In item 732:

associated general practitioner means a general practitioner who, if not engaged in the same general practice as the general practitioner mentioned in the item, performs the service mentioned in the item at the request of the patient (or the patient’s guardian).

16 Subclause 2.18.4(1) of Schedule 1 (definition of *coordinating the development of team care arrangements*)

Omit “a medical practitioner”, substitute “a general practitioner”.

17 Subclause 2.18.5(1) of Schedule 1 (definition of *coordinating a review of team care arrangements*)

Omit “a medical practitioner”, substitute “a general practitioner”.

18 Subclause 2.18.6(1) of Schedule 1 (subparagraphs (a)(i) and (ii) of the definition of *multidisciplinary care plan*)

Omit “a medical practitioner”, substitute “a general practitioner”.

19 Clause 2.18.7 of Schedule 1 (definition of *preparing a GP management plan*)

Omit “medical practitioner”, substitute “general practitioner”.

20 Clause 2.18.8 of Schedule 1 (definition of *reviewing a GP management plan*)

Omit “medical practitioner”, substitute “general practitioner”.

21 Clauses 2.18.10 and 2.18.11 of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

22 Subclause 2.18.12(2) of Schedule 1 (table item 3, column 2, sub-subparagraph (a)(ii)(A))

Omit “medical practitioner”, substitute “general practitioner”.

23 Schedule 1 (items 721 to 732, column 2)

Omit “medical practitioner (including a general practitioner, but)”, substitute “general practitioner (?)”.

24 Schedule 1 (item 732, column 2, paragraphs (a) and (b))

Omit “medical practitioner (or an associated medical practitioner)”, substitute “general practitioner (or an associated general practitioner)”.

25 Schedule 1 (items 735 to 758, column 2)

Omit “medical practitioner (including a general practitioner, but”, substitute “general practitioner (“.

26 Schedule 1 (items 871 and 872, column 2)

Omit “medical practitioner (including a specialist or consultant physician in the practice of his or her specialty or a general practitioner)”, substitute “general practitioner, specialist or consultant physician”.

27 Subclause 2.19.2(1) of Schedule 1 (definition of *residential medication management review*)

Omit “medical practitioner”, substitute “general practitioner”.

28 Subclauses 2.19.2(2) and (3) of Schedule 1

Omit “medical practitioner’s”, substitute “general practitioner’s”.

29 Paragraph 2.19.2(4)(c) of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

30 Clause 2.19.3 of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

31 Schedule 1 (item 900, column 2)

Omit “medical practitioner (including a general practitioner, but”, substitute “general practitioner (“.

32 Schedule 1 (item 900, column 2)

Omit “the medical practitioner”, substitute “the general practitioner”.

33 Schedule 1 (item 903, column 2)

Omit “medical practitioner (including a general practitioner, but”, substitute “general practitioner (“.

34 At the end of subclause 2.20.1(1) of Schedule 1

Add:

; and (c) the medical practitioner providing clinical support to the patient is a general practitioner, specialist or consultant physician.

35 Division 2.20 of Schedule 1 (Group A30 table, table heading)

Omit “(including a general practitioner, specialist or consultant physician)”.

36 Schedule 1 (item 2143, column 2)

Omit “who provides”, substitute “providing”.

37 Subclause 2.22.3(1) of Schedule 1 (paragraph (a) of the definition of *preparation of a GP mental health treatment plan*)

Omit “medical practitioner”, substitute “general practitioner”.

38 Subclause 2.22.3(2) of Schedule 1 (subparagraph (c)(ii) of the definition of *referral and treatment options*)

Omit “medical practitioner”, substitute “general practitioner”.

39 Clause 2.22.4 of Schedule 1 (definition of *review of a GP mental health treatment plan*)

Omit “medical practitioner”, substitute “general practitioner”.

40 Clause 2.22.5 of Schedule 1

Repeal the clause, substitute:

2.22.5 Meaning of *associated general practitioner*

In item 2712:

associated general practitioner means a general practitioner (not including a specialist or consultant physician) who, if not engaged in the same general practice as the general practitioner mentioned in that item, performs the service mentioned in the item at the request of the patient (or the patient’s guardian).

41 Paragraph 2.22.6(2)(c) of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

42 Subclause 2.22.6(8) of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

43 Paragraph 2.22.7(1)(b) of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

44 Subparagraph 2.22.7(1)(b)(ii) of Schedule 1

Before “practitioner”, insert “medical”.

45 Schedule 1 (items 2700 and 2701, column 2)

Omit “by a medical practitioner (including a general practitioner who has not undertaken mental health skills training, but not including a specialist or consultant physician)”, substitute “, by a general practitioner who has not undertaken mental health skills training (and not including a specialist or consultant physician)”,.

46 Schedule 1 (item 2712, column 2)

Omit “a medical practitioner”, substitute “a general practitioner”.

47 Schedule 1 (item 2712, column 2)

Omit “associated medical practitioner”, substitute “associated general practitioner”.

48 Schedule 1 (item 2713, column 2)

Omit “medical practitioner”, substitute “general practitioner”.

49 Schedule 1 (items 2715 and 2717, column 2)

Omit “by a medical practitioner (including a general practitioner who has undertaken mental health skills training, but not including a specialist or consultant physician)”, substitute “, by a general practitioner who has undertaken mental health skills training (but not including a specialist or consultant physician),”.

50 Schedule 1 (items 2721 to 2727, column 2)

Omit “medical practitioner who practises in general practice (other than a specialist or a consultant physician)”, substitute “general practitioner (not including a specialist or a consultant physician)”.

51 Subclause 2.26.1(1) of Schedule 1

Omit “medical practitioner”, substitute “general practitioner”.

52 Subclause 2.26.1(3) of Schedule 1 (definition of *non-directive pregnancy support counselling*)

Omit “medical practitioner” (wherever occurring), substitute “general practitioner”.

53 Schedule 1 (item 4001, column 2)

Omit “medical practitioner (including a general practitioner but”, substitute “general practitioner (“.

54 Schedule 1 (item 10992, column 2)

Omit all the words before paragraph (a), substitute:

A medical service to which:

(aa) item 585, 588, 591, 594, 599, 600, 5003, 5010, 5023, 5028, 5043, 5049, 5063, 5067, 5220, 5223, 5227, 5228, 5260, 5263, 5265 or 5267 of the table applies; or

(ab) item 761, 763, 766, 769, 772, 776, 788 or 789 of a Schedule (within the meaning of the *Health Insurance (Section 3C General Medical Services – Other Medical Practitioner Determination 2018)* applies;

if:

55 Clause 3.1 of Schedule 1

Insert:

associated general practitioner:

- (a) for item 732—has the meaning given by clause 2.18.2; and
- (b) for item 2712—has the meaning given by clause 2.22.5.

56 Clause 3.1 of Schedule 1 (definition of *associated medical practitioner*)

Repeal the definition.

57 Clause 3.1 of Schedule 1

Insert:

patient’s usual general practitioner means a general practitioner:

- (a) who has provided the majority of services to the patient in the past 12 months; or

-
- (b) who is likely to provide the majority of services to the patient in the following 12 months; or
 - (c) located at a medical practice that:
 - (i) has provided the majority of services to the patient in the past 12 months; or
 - (ii) is likely to provide the majority of services to the patient in the next 12 months.

58 Clause 3.1 of Schedule 1 (definition of *patient's usual medical practitioner*)

Repeal the definition.

Health Insurance Regulations 1975

59 Paragraph 6EF(a)

Repeal the paragraph, substitute:

- (a) a service prescribed by Schedule 6 to these Regulations;

60 Schedule 6 (before the table)

Insert:

1 Items of the general medical services table

For the purposes of paragraph 6EF(a), a service described in an item of the general medical services table mentioned in column 2 of the following table is prescribed.

61 Schedule 6 (table, headings)

Repeal the headings, substitute:

Items of the general medical services table		
Item	Column 1	Column 2
	Group	Items of the general medical services table

62 At the end of Schedule 6

Add:

2 Items of the *Health Insurance (Section 3C General Medical Services – Other Medical Practitioner) Determination 2018*

For the purposes of paragraph 6EF(a), a service specified in an item of a Schedule (within the meaning of the *Health Insurance (Section 3C General Medical Services – Other Medical Practitioner) Determination 2018*) mentioned in column 2 of the following table is prescribed.

Schedule 1 Amendments relating to medical practitioners

Items of the Health Insurance (Section 3C General Medical Services – Other Medical Practitioner) Determination 2018

Item	Column 1 Subgroup	Column 2 Items of the Health Insurance (Section 3C General Medical Services – Other Medical Practitioner) Determination 2018
1	Subgroup 2 of Group A7	179, 181, 183, 185, 187, 188, 189, 191, 202, 203, 206, 212
2	Subgroup 3 of Group A7	214, 215, 218, 219, 220
3	Subgroup 4 of Group A7	221, 222, 223
4	Subgroup 5 of Group A7	224, 225, 226, 227, 228
5	Subgroup 6 of Group A7	229, 230, 231, 232, 233, 235, 236, 237, 238, 239, 240, 243, 244
6	Subgroup 7 of Group A7	245, 249
7	Subgroup 8 of Group A7	251, 252, 253, 254, 255, 256, 257, 259, 260, 261, 262, 263, 264, 265, 266, 268, 269, 270, 271
8	Subgroup 9 of Group A7	272, 276, 277, 279, 281, 282, 283, 285, 286, 287
9	Subgroup 10 of Group A7	733, 737, 741, 745, 761, 763, 766, 769, 772, 776, 788, 789
10	Subgroup 11 of Group A7	792
11	Subgroup 12 of Group A7	812, 827, 829, 867, 868, 869, 873, 876, 881, 885, 891, 892

Schedule 2—Amendments relating to the 2018 services tables

Health Insurance Regulations 1975

1 Subregulation 13(21) (definition of service time)

Omit “2.43.4 in Part 2”, substitute “2.44.4”.

2 Subregulation 20C(1) (cell at table item 1, column 4)

Repeal the cell, substitute:

The equipment is
10 years old or less

3 Subregulation 20C(1) (table item 2, column 4, paragraph (a))

Repeal the paragraph.

4 Subregulation 20C(1) (cell at table item 3, column 4)

Repeal the cell, substitute:

The equipment:
(a) is more than 10
years old and
has not been
upgraded; or
(b) was upgraded
on or before it
was 10 years old
and is more than
15 years old

5 Subregulation 20C(1) (cell at table item 4, column 4)

Repeal the cell, substitute:

The equipment is
10 years old or less

6 Subregulation 20C(1) (table item 5, column 4, paragraph (a))

Repeal the paragraph.

7 Subregulation 20C(1) (cell at table item 6, column 4)

Repeal the cell, substitute:

The equipment:
(a) is more than 10
years old and
has not been
upgraded; or
(b) was upgraded

Schedule 2 Amendments relating to the 2018 services tables

on or before it
was 10 years old
and is more than
15 years old