



Health Insurance Amendment (General Practitioners) Regulations 2020

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 25 June 2020

David Hurley
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
Part 1—Initial amendments		2
<i>Health Insurance Regulations 2018</i>		2
Part 2—Later amendments		4
<i>Health Insurance Regulations 2018</i>		4

1 Name

This instrument is the *Health Insurance Amendment (General Practitioners) Regulations 2020*.

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.	27 June 2020
2. Schedule 1, Part 1	The day after this instrument is registered.	27 June 2020
3. Schedule 1, Part 2	At the same time as Schedule 1 to the <i>Health Insurance Amendment (General Practitioners and Quality Assurance) Act 2020</i> commences.	16 June 2021

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Health Insurance Regulations 2018

1 Section 4

Repeal the following definitions:

- (a) definition of *predominantly general practice*;
- (b) definition of *quarter*.

2 Subdivision B of Division 5 of Part 2

Repeal the Subdivision, substitute:

Subdivision B—Vocationally registered general practitioners

19 ACRRM may give notice about applicant’s eligibility for vocational registration

The ACRRM is specified for the purposes of paragraph 3F(6)(b) of the Act (about bodies that may give the Chief Executive Medicare notice about an applicant being eligible for registration on the Vocational Register of General Practitioners).

19A Eligibility for vocational registration

For the purposes of subsection 3F(6) of the Act, a medical practitioner whose name has been removed from the Vocational Register of General Practitioners is eligible for registration under section 3F of the Act if:

- (a) the practitioner holds general registration in the medical profession (and is not registered in the specialty of general practice) under the National Law; and
- (b) the practitioner met the continuing professional development requirements of the RACGP or the ACRRM for the 2017-2019 triennium.

20 Notice if professional body does not consider applicant eligible for vocational registration

- (1) This section applies if one of the following (the *professional body*) declines to give the Chief Executive Medicare written notice under subsection 3F(6) of the Act in relation to an applicant for registration under section 3F of the Act:
 - (a) the RACGP;
 - (b) the ACRRM.
- (2) The professional body must give the Chief Executive Medicare written notice that it so declines.
- (3) If the Chief Executive Medicare receives a notice under subsection (2) in relation to an applicant, the Chief Executive Medicare must give the applicant written notice that such a notice has been received.

21 ACRRM or Medical Board of Australia may give notice for removal from Vocational Register of General Practitioners

The ACRRM and the Medical Board of Australia are each specified for the purposes of paragraph 3G(1)(b) of the Act (about bodies that may give the Chief Executive Medicare notice about a requirement to remove a medical practitioner's name from the Vocational Register of General Practitioners).

21A Requirement for removal from Vocational Register of General Practitioners

For the purposes of paragraphs 3G(1)(b) and (c) of the Act, a medical practitioner's name must be removed from the Vocational Register of General Practitioners if:

- (a) the practitioner ceases to hold general registration in the medical profession (and is not registered in the specialty of general practice) under the National Law; or
- (b) if the medical practitioner's name was last entered on the Vocational Register of General Practitioners because the RACGP gave the Chief Executive Medicare notice for the purposes of subsection 3F(6) of the Act—the RACGP was later satisfied that the practitioner did not meet the continuing professional development requirements of the RACGP for the 2017-2019 triennium; or
- (c) if the medical practitioner's name was last entered on the Vocational Register of General Practitioners because the ACRRM gave the Chief Executive Medicare notice for the purposes of subsection 3F(6) of the Act—the ACRRM was later satisfied that the practitioner did not meet the continuing professional development requirements of the ACRRM for the 2017-2019 triennium.

3 Part 12 (heading)

Repeal the heading, substitute:

Part 12—Application, saving and transitional provisions

4 In the appropriate position in Part 12

Insert:

Division 2—Application provision relating to the Health Insurance Amendment (General Practitioners) Regulations 2020

104 Application of section 21A

Section 21A applies to the removal of names of medical practitioners from the Vocational Register of General Practitioners on and after the commencement of that section, whether their names were entered in the Vocational Register at any time before that commencement, or on or after that commencement.

Part 2—Later amendments

Health Insurance Regulations 2018

5 Section 4

Repeal the following definitions:

- (a) definition of *accredited training*;
- (b) definition of *ACRRM*;
- (c) definition of *authorised officer*.

6 Division 5 of Part 2

Repeal the Division, substitute:

Division 5—General practitioners

16 Medical practitioners who were on Vocational Register of General Practitioners

- (1) This section prescribes a kind of medical practitioner for the purposes of paragraph (b) of the definition of *general practitioner* in subsection 3(1) of the Act.

Note: Medical practitioners of that kind are general practitioners as defined by that subsection.

- (2) The kind is a medical practitioner for whom the following conditions are met:
- (a) the practitioner holds general registration in the medical profession (and is not registered in the specialty of general practice) under the National Law;
 - (b) immediately before the commencement of Schedule 1 to the *Health Insurance Amendment (General Practitioners and Quality Assurance) Act 2020*:
 - (i) the practitioner held general registration in the medical profession (and was not registered in the specialty of general practice) under the National Law; and
 - (ii) the practitioner's name was entered in the Vocational Register of General Practitioners.

7 Paragraph 27(b)

Repeal the paragraph.

8 Paragraph 27(c)

Omit “practitioner; or”, substitute “practitioner.”.

9 Paragraphs 27(d) and (e)

Repeal the paragraphs.

10 Subsection 63(1) (note 1)

Repeal the note.

11 Subsection 63(1) (note 2)

Omit “Note 2”, substitute “Note”.

12 Division 2 of Part 12

Repeal the Division.