



Health Insurance Legislation Amendment (Extend Cessation Date of Temporary COVID- 19 Items) Determination 2020

I, Paul McBride, delegate of the Minister for Health, make the following determination.

Dated 18 September 2020

Paul McBride
First Assistant Secretary
Medical Benefits Division
Health Resourcing Group
Department of Health

Contents

1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Schedules.....	1
Schedule 1 – Amendments commencing the day after registration	2
Schedule 2 – Amendments commencing on 1 October 2020	5

1 Name

This instrument is the *Health Insurance Legislation Amendment (Extend Cessation Date of Temporary COVID-19 Items) Determination 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	The day after this instrument is registered.	
2. Schedule 1	The day after this instrument is registered.	
3. Schedule 2	1 October 2020.	

Note: This table relates only to the provisions of this instrument as originally made.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 subsection 3C(1) of 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 commencing the day after registration

Health Insurance (Section 3C General Medical Services - COVID-19 Telehealth and Telephone Attendances) Determination 2020

1 Section 4

Omit “30 September 2020”, substitute “31 March 2021”.

2 Subsection 8(11)

Repeal the subsection, substitute:

(11) For the purpose of subsection 8(8):

patient’s usual medical practitioner means a medical practitioner (other than a specialist or consultant physician) who:

- (a) has provided at least one service to the patient in the past 12 months; or
- (b) is located at a medical practice at which at least one service to the patient was provided, or arranged by, in the past 12 months; or
- (c) is a participant in the Approved Medical Deputising Service program if:
 - (i) the Approved Medical Deputising Service provider has a formal agreement in place with a medical practice to provide after-hours services to its patients; and
 - (ii) the medical practice has provided, or arranged, at least one service to the patient in the past 12 months; or
- (d) is a general practitioner employed by an Approved Medical Deputising Service provider, if:
 - (i) the Approved Medical Deputising Service provider has a formal agreement in place with a medical practice to provide after-hours services to its patients; and
 - (ii) the medical practice has provided, or arranged, at least one service to the patient in the past 12 months; or
- (e) is a medical practitioner employed by an accredited Medical Deputising Service, if:
 - (i) the accredited Medical Deputising Service has a formal agreement in place with a medical practice to provide after-hours services to its patients; and
 - (ii) the medical practice has provided, or arranged, at least one service to the patient in the past 12 months.

For the purpose of this subsection, service means a personal attendance on the patient and excludes telehealth and phone attendances.

Health Insurance (Section 3C General Medical – Expansion of GP and Allied Health Mental Health Services) Determination 2020

3 Section 4 (paragraph (a))

Omit “30 September 2020”, substitute “31 March 2021”.

Health Insurance (Section 3C Pathology Services – COVID-19) Determination 2020

4 Section 3

Omit “30 September 2020”, substitute “31 March 2021”.

5 Section 5 (before the definition of *relevant provisions*)

Insert:

rail crew member means a person required to:

- (a) operate a vehicle as the driver or other necessary member of that vehicle; and
- (b) the vehicle operates or moves on a railway track and includes a locomotive, carriage, rail car, rail motor, light rail vehicle, tram, light inspection vehicle, self-propelled infrastructure maintenance vehicle, trolley, wagon or monorail vehicle; and
- (c) the vehicle is transporting goods, animals or persons.

6 Schedule 1 (item 69501, column 2)

Repeal the cell, substitute:

Detection of a SARS-CoV-2 nucleic acid 1 or more tests if:

- (a) the person is employed, hired, retained or contracted;
 - (i) by an approved provider, or works in an aged care service, in Victoria; or
 - (ii) to travel interstate as a driver of a heavy vehicle; or
 - (iii) to travel interstate as a rail crew member; and
- (b) the person is informed of the results of the tests within 24 hours of receipt of the specimen at an accredited pathology laboratory; and
- (c) the results of the test are reported in adherence with the applicable State or Territory reporting requirements within 24 hours of receipt of the specimen at an accredited pathology laboratory; and
- (d) the person is not a private patient in a recognised hospital; and
- (e) the person is not an admitted patient of a hospital; and
- (f) the service is not performed in a prescribed laboratory as described in 4.1 of the pathology services table

Other than a service to which an item in this instrument or an item in the pathology services tables applies.

Where the service is bulk-billed.

Schedule 2 – Amendments commencing on 1 October 2020

Health Insurance (Section 3C General Medical Services - COVID-19 Telehealth and Telephone Attendances) Determination 2020

1 Section 5 (definition of *bulk-billed*)

Repeal the definition.

2 Subsection 8(4)

Repeal the subsection.