

Australian Government

Veterans' Entitlements Act 1986 Military Rehabilitation and Compensation Act 2004

Veterans' Affairs (Treatment Principles – Extend Eligibility for Coordinated Veterans' Care to Eligible White Card Holders) Amendment Determination 2021

Instrument 2021 No.R14/MRCC14

I, Vicki Rundle, as delegate of the Minister for Veterans' Affairs, approve:								
 (a) for the purposes of subsection 90(6) of the <i>Veterans' Entitlements Act 1986</i> — the variations by the Repatriation Commission of the <i>Treatment Principles</i> in the following determination; and (b) for the purposes of subsection 286(6) of the <i>Military Rehabilitation and Compensation Act 2004</i> — the variations by the Military Rehabilitation and Compensation Commission of the <i>MRCA Treatment Principles</i> in the following determination. 								
Dated this	10th	day of	June	2021				
Vicki Rundle Vicki Rundle Deputy Secretary, Veterans' and Families' Services Department of Veterans' Affairs								

-	the varia	tions to the 7			ans' Entitlements Act t 2013 No. R52) in the
Dated this	10th	day of	June	2021	
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				Kate Pope	
ELIZABE	<u>A CSC</u>	550N		KATE POPE PSM	
PRESIDENT				I	DEPUTY PRESIDENT
DONAI	Ild Spinks				Stuart Smith
	AM ISSION	ER			AO DSC COMMISSIONER

The Military Rehabilitation and Compensation Commission makes, under subsection							
286(5) of the Military Rehabilitation and Compensation Act 2004, the variations to the							
MRCA Treatment Principles (Instrument 2013 No. MRCC53) in the following							
determination.							
Dated 10th day of June	2021						
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Military Rehabilitation and Compensation Com was affixed to this determination							
in the presence of:)						
in the presence of.)						
Elizabeth Cosson	Kate Pope						
ELIZABETH COSSON	KATE POPE						
AM CSC	PSM						
CHAIR	MEMBER						
Donald Spinks	Sue Weston						
DONALD SPINKS	SUE WESTON						
AM							
MEMBER	MEMBER						

1 Name

This instrument is the Veterans' Affairs (Treatment Principles – Extend Eligibility for Coordinated Veterans' Care to Eligible White Card Holders) Amendment Determination 2021.

2 Commencement

This determination commences on 1 July 2021.

3 Authority

This determination is made under:

- (a) subsection 90(5) of the *Veterans' Entitlements Act 1986* in respect of the variations to the *Treatment Principles* in Schedule 1; and
- (b) subsection 286(5) of the *Military Rehabilitation and Compensation Act 2004* in respect of the variations to the *MRCA Treatment Principles* in Schedule 2.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is varied as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this determination has effect according to its terms.

Schedule 1-Variations to the *Treatment Principles* (Instrument 2013 No. R52) (F2021C00138)

[1] Paragraph 1.4.1, definition of "aboriginal health worker":

Omit, and insert:

"Aboriginal and/or Torres Strait Islander Primary Health Care worker" means a person who is qualified as an Aboriginal and/or Torres Strait primary health care worker after undertaking a course in Aboriginal and/ or Torres Strait Islander Health, provided by an institution recognised by the *Aboriginal and Torres Strait Health Islander Practice Board of Australia* as suitable for providing a course of that nature, and who obtained a Certificate Level III (or higher) under the course.

[2] Paragraph 1.4.1, definition of Aboriginal Health Worker Care Coordination treatment":

Omit, and insert:

"Aboriginal and/or Torres Strait Islander Health Worker Care Coordination treatment" means treatment provided by an *Aboriginal and/or Torres Strait Islander Primary Health Care worker* to an *entitled person* under the *Coordinated Veterans' Care Program*, comprised of:

- (a) implementing the *Comprehensive Care Plan* for the person under the Program in particular co-ordinating treatment services under the *Comprehensive Care Plan*;
- (b) liaising, in relation to the *Comprehensive Care Plan*, with the *general practitioner* who manages the *Comprehensive Care Plan* for the person;
- (c) performing such other functions under the program that the *Aboriginal and/or Torres Strait Islander Primary Health Care worker* has under the *Fees for Coordinated Veterans' Care Program Providers.*

[3] Paragraph 1.4.1, definition of "Community Nurse Care Coordination treatment":

Omit wherever occurring "GPMP" and insert "Comprehensive Care Plan".

[4] Paragraph 1.4.1, after the definition of "compensable patient" insert:

"Comprehensive Care Plan" means the care plan prepared by a *general practitioner*, in accordance with the *Notes for Coordinated Veterans' Care Program Providers*, for an *entitled person* participating in the *Coordinated Veterans' Care Program*.

Note: Fees for the preparation of a "Comprehensive Care Plan" are set out in the Schedule 8, Coordinated Veterans' Care (CVC) Program of the Department of Veterans' Affairs Fee Schedules for Medical Services (see: paragraph 3.5.1).

[5] Paragraph 1.4.1, definition of "Coordinated Veterans' Care Program":

Omit "*Gold Card* members of the veteran and defence force community" and insert "*Gold Card* holders and eligible *White Card* holders of the veteran and defence force community".

After "*Department of Human Services*" omit the superfluous reference to "Department".

Omit "comprehensive care plan (GPMP)" and insert "*Comprehensive Care Plan*".

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[6] Paragraph 1.4.1, subparagraph (d) of the definition of "Coordinated Veterans' Care Program treatment":

After "Aboriginal", insert "and/or Torres Strait Islander".

[7] Paragraph 1.4.1, after the definition of "Department of Health":

Omit the definition of "Department of Prime Minister and Cabinet":

[8] Paragraph 1.4.1, after the definition of "Domestic Assistance":

Insert:

"DRCA" means the Safety, Rehabilitation and Compensation (Defencerelated Claims) Act 1988.

"DRCA disability" means an injury (within the meaning of the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988*):

- (a) for which the Military Rehabilitation and Compensation Commission has accepted liability to pay compensation under that Act; and
- (b) for which the person with the injury is eligible to be provided with treatment under Part V of the *Act*.
 - Note 1: In the Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988 the definition of injury includes a disease (see section 5A of that Act).
 Note 2: Section 85(2A) of the Act provides eligibility for treatment of a person with an injury under the Safety, Rehabilitation and Compensation (Defence-related

Claims) Act 1988.

[9] Paragraph 1.4.1, subparagraph (g) of the definition of "entitled person":

Omit "SRCA disability", insert "DRCA disability".

[10] Paragraph 1.4.1, subparagraph (c) of the definition of "entitled veteran":

Omit "SRCA disability", insert "DRCA disability".

[11] Paragraph 1.4.1, subparagraphs (a) and (b) of the definition of "GP Care Leadership treatment":

Omit, wherever occurring "GPMP" and insert "Comprehensive Care Plan".

[12] Paragraph 1.4.1, subparagraphs (b) and (c) of the definition of "GP Care Leadership treatment":

Omit, wherever occurring "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

Omit "Aboriginal Health Worker Care Co-ordination treatment" and insert "Aboriginal and/or Torres Strait Islander Health Worker Care Coordination treatment".

[13] Paragraph 1.4.1, definition of "GPMP":

Omit the definition (including the Note).

[14] Paragraph 1.4.1, definition of "Notes for Coordinated Veterans' Care Program Providers", subparagraph (d):

Omit "aboriginal health worker" insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[15] Paragraph 1.4.1, definition of "period of care", subparagraph (c):

Omit "aboriginal health worker" insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[16] Paragraph 1.4.1, definition of "period of care":

Omit "aboriginal health worker" insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[17] Paragraph 1.4.1, definition of "Practice Nurse Care Co-ordination treatment":

Wherever occurring, omit "GPMP" and insert "Comprehensive Care Plan".

[18] Paragraph 1.4.1, definitions of "SRCA" and "SRCA disability": Omit.

[19] Paragraph 1.4.1, definition of "veteran":

Omit "SRCA disability", insert "DRCA disability".

[20] Paragraph 1.4.1, definition of "war-caused":

Omit "SRCA disability", insert "DRCA disability".

Omit, wherever occurring, "Safety, Rehabilitation and Compensation Act 1988" and insert "Safety, Rehabilitation and Compensation (Defencerelated Claims) Act 1988".

[21] Note to paragraph 1.4.1, definition of "war-caused":

Omit, "Safety, Rehabilitation and Compensation Act 1988" and insert "Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988".

[22] Paragraph 1.4.1, subparagraph (b) of the definition of "White Card":

Omit "SRCA disability", insert "DRCA disability".

[23] Principle 6A. 1 Outline

Omit,

"The entitled persons are Gold Card holders with complex care needs due to diagnosis of a particular chronic condition (set out in 6A.5)."

Insert,

"The entitled persons are:

- Gold Card holders with complex care needs due to diagnosis of a particular chronic health condition (set out in Principle 6A.5); and
- White Card holders with an accepted mental health condition with complex care needs due to the diagnosis of that mental health condition as a chronic health condition (set out in Principle 6A.5)."

Wherever occurring, omit "aboriginal health worker" insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

Wherever occurring, omit "(GPMP)".

[24] After Principle 6A.1, insert:

6A.1A In this Part:

accepted mental health condition means that the entitled person has a mental health condition for which the person is entitled to be provided with treatment under Part V of the Act on the basis that the condition is due to a war-caused injury or war-caused disease.

Note: The paragraph 1.4.1 definition of "war-caused" includes a person with a *DRCA disability*.

Note 2: A veteran or eligible ADF member who receives treatment for a mental health condition as a member of a class of persons specified in Part 2 of the Veterans' Entitlements (Expanded Access to Non-Liability Health Care for Mental Health Treatment) Determination 2017 (Instrument 2017 No. R24), as in force from time to time; will not be eligible for the Coordinated Veterans' Care Program.

[25] Paragraph 6A.2.7:

After "Aboriginal" insert "and/or Torres Strait Islander".

[26] Paragraph 6A.2.8:

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander health worker".

Omit "Aboriginal Health Worker Care Co-ordination treatment" and insert "Aboriginal and/or Torres Strait Islander Health Worker Care Coordination treatment".

[27] Paragraph 6A.4.1:

Omit "Aboriginal Health Worker Care Co-ordination treatment" and insert "Aboriginal and/or Torres Strait Islander Health Worker Care Coordination treatment".

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[28] Subparagraph 6A.4.2(a):

Omit "Aboriginal Health Worker Care Co-ordination treatment" and insert "Aboriginal and/or Torres Strait Islander Health Worker Care Coordination treatment".

[29] Paragraph 6A.4.3:

Wherever occurring, omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[30] Note to paragraph 6A.4.3:

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[31] Paragraph 6A.4.5:

Omit "Aboriginal Health Worker Care Co-ordination treatment" and insert "Aboriginal and/or Torres Strait Islander Health Worker Care Coordination treatment".

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[32] Subparagraph 6A.5.1(a):

Omit and substitute:

(a) in the opinion of a general practitioner treating the person the entitled person has a chronic health condition (including an *accepted mental health condition*); and

[33] Subparagraph 6A.5.1(2):

Omit and substitute:

- (2) the *entitled person* is eligible for treatment under the Act:
 - (a) as a Gold Card holder; or
 - (b) as a *White Card* holder with an *accepted mental health condition*; and

[34] Subparagraph 6A.5.1(5):

Omit "comprehensive care plan (*GPMP*)" and insert "*Comprehensive Care Plan*".

[35] Subparagraph 6A.6.1(c):

Omit, and substitute:

(c) the person is participating in a Department of Health Transition Care Program.

[36] Note to paragraph 6A.7.1:

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[37] Paragraph 6A.9.4:

Omit "comprehensive care plan" and insert "Comprehensive Care Plan".

Omit "(GPMP)".

[38] Paragraph 6A.9.5:

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

Omit, wherever occurring "GPMP" or "GPMP" and insert "Comprehensive Care Plan".

[39] Paragraph 6A.9.9:

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[40] Paragraph 11.1.1, subparagraph (d):

Omit "SRCA" and insert "DRCA".

[41] Note 2 to paragraph 11.1.1:

Omit, wherever occurring, "SRCA" and insert "DRCA".

[42] Note to section 1 of the Transitional Provisions:

Wherever occurring, omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

Wherever occurring, omit "Department of Prime Minister and Cabinet" and insert "Aboriginal and Torres Strait Health Islander Practice Board of Australia".

Schedule 2-Variations to the *MRCA Treatment Principles* (Instrument 2013 No. MRCC53) [F2020COO776]

[1] Paragraph 1.4.1, definition of "aboriginal health worker":

Omit, and insert:

"Aboriginal and/or Torres Strait Islander Primary Health Care worker" means a person who is qualified as an Aboriginal and/or Torres Strait primary health care worker after undertaking a course in Aboriginal and/or Torres Strait Islander Health, provided by an institution recognised by the *Aboriginal and Torres Strait Health Islander Practice Board of Australia* as suitable for providing a course of that nature, and who obtained a Certificate Level III (or higher) under the course.

[2] Paragraph 1.4.1, definition of Aboriginal Health Worker Care Coordination treatment":

Omit, and insert:

"Aboriginal and/or Torres Strait Islander Health Worker Care Co-ordination treatment" means treatment provided by an *Aboriginal and/or Torres Strait Islander Primary Health Care worker* to an *entitled person* under the *Coordinated Veterans' Care Program*, comprised of:

- (a) implementing the *Comprehensive Care Plan* for the person under the Program in particular co-ordinating treatment services under the *Comprehensive Care Plan*;
- (b) liaising, in relation to the *Comprehensive Care Plan*, with the *general practitioner* who manages the *Comprehensive Care Plan* for the person;
- (c) performing such other functions under the program that the *Aboriginal and/or Torres Strait Islander Primary Health Care worker* has under the *Fees for Coordinated Veterans' Care Program Providers.*

[3] Paragraph 1.4.1, definition of "Community Nurse Care Coordination treatment":

Omit wherever occurring "GPMP" and insert "Comprehensive Care Plan".

[4] Paragraph 1.4.1, after the definition of "community nursing services", insert:

"Comprehensive Care Plan" means the care plan prepared by a *general practitioner*, in accordance with the *Notes for Coordinated Veterans'*

Care Program Providers, for an *entitled person* participating in the *Coordinated Veterans' Care Program*.

Note: Fees for the preparation of a "Comprehensive Care Plan" are set out in the Schedule 8, Coordinated Veterans' Care (CVC) Program of the Department of Veterans' Affairs Fee Schedules for Medical Services (see: paragraph 3.5.1).

[5] Paragraph 1.4.1, definition of "Coordinated Veterans' Care Program":

Omit "*Gold Card* members of the veteran and defence force community" and insert "*Gold Card* holders and eligible *White Card* holders of the veteran and defence force community".

Omit "comprehensive care plan (GPMP)" and insert "*Comprehensive Care Plan*".

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[6] Paragraph 1.4.1, subparagraph (d) of the definition of "Coordinated Veterans' Care Program treatment":

After "Aboriginal", insert "and/or Torres Strait Islander".

[7] Paragraph 1.4.1, after the definition of "Department of Human Services":

Omit the definition of "Department of Prime Minister and Cabinet":

[8] Paragraph 1.4.1, after the definition of "Domestic Assistance":

Insert:

"DRCA" means the Safety, Rehabilitation and Compensation (Defencerelated Claims) Act 1988.

"DRCA disability" means an injury (within the meaning of the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988)*:

- (a) for which the Military Rehabilitation and Compensation Commission has accepted liability to pay compensation under that Act; and
- (b) for which the person with the injury is eligible to be provided with treatment under Part 3 of Chapter 6 of the *Act*.

Note 1: In the Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988 the definition of *injury* includes a disease (see section 5A of that Act).

Note 2: Section 85(2A) of the *Act* provides eligibility for treatment of a person with an injury under the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988.*

[9] Paragraph 1.4.1, definition of "entitled member":

Omit "SRCA disability", insert "DRCA disability".

[10] Note to the paragraph 1.4.1 definition of "entitled person":

Omit "SRCA disability", insert "DRCA disability".

[11] Paragraph 1.4.1, subparagraphs (a) and (b) of the definition of "GP Care Leadership treatment":

Omit, wherever occurring "GPMP" and insert "Comprehensive Care Plan".

[12] Paragraph 1.4.1, subparagraphs (b) and (c) of the definition of "GP Care Leadership treatment":

Omit, wherever occurring "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

Omit "Aboriginal Health Worker Care Co-ordination treatment" and insert "Aboriginal and/or Torres Strait Islander Health Worker Care Coordination treatment".

[13] Paragraph 1.4.1, definition of "GPMP":

Omit the definition (including the Note).

[14] Paragraph 1.4.1, definition of "member":

Omit "SRCA disability" and insert "DRCA disability".

[15] Paragraph 1.4.1, definition of "Notes for Coordinated Veterans' Care Program Providers", subparagraph (d):

Omit "aboriginal health worker" insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[16] Paragraph 1.4.1, definition of "period of care", subparagraph (c):

Omit "aboriginal health worker" insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[17] Paragraph 1.4.1, definition of "period of care":

Omit "aboriginal health worker" insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[18] Paragraph 1.4.1, definition of "Practice Nurse Care Co-ordination treatment":

Wherever occurring, omit "GPMP" and insert "Comprehensive Care Plan".

[19] After the paragraph 1.4.1, definition of "VVCS OPC Provider Notes":

Omit the joint definition of "service injury" and "service disease" (including the Note) and insert that definition after the paragraph 1.4.1 definition of "Rural Enhancement Scheme".

[20] Paragraph 1.4.1, separate definitions of "service injury" and "service disease".

Omit "SRCA disability" and insert "DRCA disability".

Omit wherever occurring "Safety, Rehabilitation and Compensation Act 1988" and insert "Safety, Rehabilitation and Compensation (Defencerelated Claims) Act 1988".

[21] Paragraph 1.4.1, definitions of "SRCA" and "SRCA disability": Omit.

[22] Note to the paragraph 1.4.1 definition of "White Card":

Omit "SRCA disability", insert "DRCA disability".

[23] Principle 6A. 1 Outline

Omit:

"The entitled persons are Gold Card holders with complex care needs due to diagnosis of a particular chronic condition (set out in 6A.5)."

Insert:

"The entitled persons are:

- Gold Card holders with complex care needs due to diagnosis of a particular chronic health condition (set out in Principle 6A.5); and
- White Card holders with an accepted mental health condition with complex care needs due to the diagnosis of that mental health condition as a chronic health condition (set out in Principle 6A.5)."

Wherever occurring, omit "aboriginal health worker" insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

Wherever occurring, omit "(GPMP)".

[24] After Principle 6A.1, insert:

6A.1A In this Part:

accepted mental health condition means that the entitled person has a mental health condition for which the person is entitled to be provided with treatment under Part 3 of Chapter 6 of the Act on the basis that the condition is due to a service injury or service disease.

Note: The paragraph 1.4.1 definitions of "service injury" and "service disease" include persons with a *DRCA disability*.

[25] Paragraph 6A.2.7:

After "Aboriginal" insert "and/or Torres Strait Islander".

[26] Paragraph 6A.2.8:

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

Omit "Aboriginal Health Worker Care Co-ordination treatment" and insert "Aboriginal and/or Torres Strait Islander Health Worker Care Coordination treatment".

[27] Paragraph 6A.4.1:

Omit "Aboriginal Health Worker Care Co-ordination treatment" and insert "Aboriginal and/or Torres Strait Islander Health Worker Care Coordination treatment".

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[28] Subparagraph 6A.4.2(a):

Omit "Aboriginal Health Worker Care Co-ordination treatment" and insert "Aboriginal and/or Torres Strait Islander Health Worker Care Coordination treatment".

[29] Paragraph 6A.4.3:

Wherever occurring, omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[30] Note to paragraph 6A.4.3:

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[31] Paragraph 6A.4.5:

Omit "Aboriginal Health Worker Care Co-ordination treatment" and insert "Aboriginal and/or Torres Strait Islander Health Worker Care Coordination treatment".

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[32] Subparagraph 6A.5.1(a):

Omit and substitute:

(a) in the opinion of a general practitioner treating the person the entitled person has a chronic health condition (including an *accepted mental health condition*); and

[33] Subparagraph 6A.5.1(2):

Omit and substitute:

- (2) the *entitled person* is eligible for treatment under the *Act*:
 - (a) as a *Gold Card* holder; or
 - (b) as a *White Card* holder with an *accepted mental health condition*; and

[34] Subparagraph 6A.5.1(5):

Omit "comprehensive care plan (*GPMP*)" and insert "*Comprehensive Care Plan*".

[35] Subparagraph 6A.6.1(c):

Omit, and substitute:

(c) the person is participating in a Department of Health Transition Care Program.

[36] Note to paragraph 6A.7.1:

Omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

[37] Paragraph 6A.9.4:

Omit "comprehensive care plan" and insert "Comprehensive Care Plan".

Omit "(GPMP)".

[38] Paragraph 6A.9.5:

Omit "aboriginal health worker" and insert "aboriginal and/or Torres Strait Islander Primary Health Care worker".

Omit, wherever occurring "GPMP" or "GPMP" and insert "Comprehensive Care Plan".

[**39**] Paragraph 6A.9.9:

Omit "aboriginal health worker" and insert "aboriginal and/or Torres Strait Islander Primary Health Care worker".

[40] Paragraph 11.1.1:

Omit "SRCA" and insert "DRCA".

[41] Note 1 to paragraph 11.1.1:

Omit, wherever occurring, "SRCA" and insert "DRCA".

[42] Note to section 1 of the Transitional Provisions:

Wherever occurring, omit "aboriginal health worker" and insert "Aboriginal and/or Torres Strait Islander Primary Health Care worker".

Wherever occurring, omit "Department of Prime Minister and Cabinet" and insert "Aboriginal and Torres Strait Health Islander Practice Board of Australia".