



Health Insurance Legislation Amendment (2021 Measures No. 3) Regulations 2021

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 16 December 2021

David Hurley
Governor-General

By His Excellency's Command

Greg Hunt
Minister for Health and Aged Care

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1 Name

This instrument is the *Health Insurance Legislation Amendment (2021 Measures No. 3) Regulations 2021*.

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. The whole of this instrument | 1 January 2022. | 1 January 2022 |

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Health Insurance (Diagnostic Imaging Services Table) Regulations (No. 2) 2020

1 Clauses 2.1.3, 2.1.6 and 2.1.10 of Schedule 1 (note)

Repeal the note, substitute:

Note: The fees in Group I1 are indexed in accordance with clause 2.7.1.

2 Clause 2.2.6 of Schedule 1 (note)

Repeal the note, substitute:

Note: The fees in Group I2 are indexed in accordance with clause 2.7.1.

3 Clauses 2.3.4, 2.3.6, 2.3.7, 2.3.8, 2.3.10 and 2.3.12 of Schedule 1 (note)

Repeal the note, substitute:

Note: The fees in Group I3 are indexed in accordance with clause 2.7.1.

4 Schedule 1 (item 61560, column 2)

Omit “lifetime”, substitute “lifetime (R)”.

5 Clause 2.6.2 of Schedule 1 (note)

Repeal the note, substitute:

Note: The fees in Group I6 are indexed in accordance with clause 2.7.1.

Health Insurance (General Medical Services Table) Regulations 2021

6 Paragraph 2.15.2(1)(g) of Schedule 1

Omit “an Australian Defence Force Post-Discharge GP Health Assessment”, substitute “a health assessment”.

7 Subparagraph 2.15.2(1)(g)(i) of Schedule 1

Omit “is a former”, substitute “is a veteran, being a former”.

8 Clause 2.15.10 of Schedule 1 (heading)

Repeal the heading, substitute:

2.15.10 Health assessment for a veteran

9 Subclause 2.15.10(1) of Schedule 1

Omit “An Australian Defence Force Post-discharge GP Health Assessment”, substitute “A health assessment for a veteran”.

10 Paragraph 2.15.10(1)(a) of Schedule 1

Omit “a patient’s”, substitute “the patient’s”.

11 Subclause 2.15.10(4) of Schedule 1

Repeal the subclause (including the notes), substitute:

-
- (4) The assessment may be performed using the *Veteran Health Check* tool, as existing on 2 September 2021.

Note 1: The *Veteran Health Check* tool could in 2021 be viewed on the Department of Veterans' Affairs' website (<http://dva.gov.au>).

Note 2: Other assessment tools mentioned in the Department of Veterans' Affairs' *Mental Health Advice Book* may be relevant. The *Mental Health Advice Book* could in 2021 be viewed on the Department of Veterans' Affairs' website (<http://dva.gov.au>).

12 Schedule 1 (item 32230, column 2, paragraph (c))

Repeal the paragraph, substitute:

- (c) performed within 6 months after a service to which item 32222, 32223, 32224, 32225, 32226 or 32228 applies has been performed

13 Schedule 1 (item 38254, column 2, paragraph (a))

Repeal the paragraph, substitute:

- (a) performed at the same time as a service to which item 38244, 38247, 38248, 38249, 38251, 38252, 38307, 38308, 38310, 38311, 38313 or 38314 applies; and

14 Schedule 1 (item 38358, column 3)

Omit "2,089.00", substitute "2,984.25".

15 Schedule 1 (item 38519, column 2)

Omit "a service to which item 38484 or 38499 applies, other than", substitute "open cardiac surgery, not being".

16 Schedule 1 (item 38643, column 2)

Omit "Re-operation via thoracotomy", substitute "Thoracotomy".

17 Schedule 1 (item 45534, column 3)

Omit "651.50", substitute "657.35".

18 Schedule 1 (item 45535, column 3)

Omit "1,140.15", substitute "1,150.40".

19 Schedule 1 (item 45589, column 3)

Omit "651.50", substitute "657.35".

20 Schedule 1 (item 49200, column 2)

Omit "bone graft and".

21 Schedule 1 (item 49851, column 2)

Omit "(Anaes.)", substitute "(Anaes.) (Assist.)".

22 Schedule 1 (item 51071, column 2)

After "lesion", insert "or primary extradural tumour or lesion, where the pathology is confirmed by histology—not including removal of synovial or juxtafacet cyst and".

23 Schedule 1 (item 90300, column 2, subparagraph (b)(i), first occurring)

Omit "either performing, or".

24 Schedule 1 (item 90300, column 2, subparagraph (b)(i), second occurring)

Re-number subparagraph as “(ii)”.

Health Insurance (Pathology Services Table) Regulations 2020

25 At the end of Division 1.2

Add:

1.2.13 Restriction on items 66551, 73812 and 73826—timing

For any particular patient, item 66551 is applicable not more than 4 times in 12 months, either individually or in combination with a service to which item 73812 or 73826 applies.

26 Schedule 1 (item 66551, column 2)

Omit “For any particular patient, applicable not more than 4 times in 12 months”.

27 Clause 2.12.2 of Schedule 1 (note)

Repeal the note, substitute:

Note: The fees in Group P12 are indexed in accordance with clause 2.14.1.

Schedule 2—Telehealth services

Part 1—Repeals

Health Insurance (General Medical Services Table) Regulations 2021

1 Schedule 1 (item 10983, column 2, paragraphs (b) and (c))

Repeal the paragraphs, substitute:

(b) is not an admitted patient

2 Schedule 1 (item 10984)

Repeal the item (including the Subgroup 2 heading).

3 Schedule 1 (items 2461, 2463, 2464 and 2465)

Repeal the items (including the Subgroup 5 heading).

4 Schedule 1 (items 2471, 2472, 2475 and 2478)

Repeal the items (including the Subgroup 6 heading).

5 Amendments of listed provisions—repeals

Repeal the following table items in Schedule 1:

- (a) item 99;
- (b) item 112;
- (c) item 113;
- (d) item 114;
- (e) item 149;
- (f) item 288;
- (g) item 353;
- (h) item 355;
- (i) item 356;
- (j) item 357;
- (k) item 358;
- (l) item 359;
- (m) item 361;
- (n) item 364;
- (o) item 366;
- (p) item 367;
- (q) item 369;
- (r) item 370;
- (s) item 384;
- (t) item 389;
- (u) item 2100;
- (v) item 2122;
- (w) item 2125;
- (x) item 2126;
- (y) item 2137;
- (z) item 2138;

Schedule 2 Telehealth services
Part 1 Repeals

- (za) item 2143;
- (zb) item 2147;
- (zc) item 2179;
- (zd) item 2195;
- (ze) item 2199;
- (zf) item 2220;
- (zg) item 2729;
- (zh) item 2731;
- (zi) item 2799;
- (zj) item 2820;
- (zk) item 3003;
- (zl) item 3015;
- (zm) item 6004;
- (zn) item 6016;
- (zo) item 6025;
- (zp) item 6026;
- (zq) item 6059;
- (zr) item 6060;
- (zs) item 13210;
- (zt) item 16399;
- (zu) item 17609;
- (zv) item 90262;
- (zw) item 90263;
- (zx) item 90268;
- (zy) item 90269.

Part 2—Consequential amendments

Health Insurance (General Medical Services Table) Regulations 2021

6 Subclause 1.1.6(1) of Schedule 1

Omit “384 to 388, 2799, 2801 to 2840, 3003, 3005 to 3028, 6004, 6007 to 6015, 6018, 6019, 6024, 6025, 6026, 6051, 6052, 6058, 6059, 6060”, substitute “385 to 388, 2801 to 2840, 3005 to 3028, 6007 to 6015, 6018, 6019, 6024, 6051, 6052, 6058”.

7 Subclause 1.2.2(1) of Schedule 1

Repeal the subclause, substitute:

- (1) Use this clause for items 104 to 111, 115 to 137, 141 to 147, 289 to 388, 2801 to 2840, 3005 to 3028, 6007 to 6015, 6018 to 6028, 6051 to 6063, 16401, 16404, 16407, 16408, 16508, 16509, 16533, 16534, 17640 to 17655, 90260, 90261, 90266 and 90267.

8 Subclause 1.2.5(1) of Schedule 1

Repeal the subclause, substitute:

- (1) Use this clause for items 3 to 338, 348 to 388, 410 to 417, 585 to 600, 900, 903, 2497 to 2840, 3005 to 3028, 5000 to 5267, 6007 to 6015, 6018 to 6024, 6051 to 6063, 13899, 16401, 16404, 16406, 16407, 16508, 16509, 16533, 16534, 17610 to 17690, 90020 to 90096 and 90250 to 90282.

9 Subclause 1.2.6(1) of Schedule 1

Repeal the subclause, substitute:

- (1) Use this clause for items 3 to 147, 173 to 338, 348 to 417, 585 to 600, 2497 to 2840, 3005 to 3028, 35570, 35571, 35573, 35577, 35581, 35582, 35585, 4001 to 6015, 6018 to 6024, 6051 to 6058, 6062, 6063, 10801 to 10816, 11012 to 11021, 11304, 11600, 11627, 11705, 11724, 11731, 11921 to 12004, 12201, 13030 to 13104, 13106 to 13110, 13209, 13290 to 13700, 13815 to 13899, 14100 to 14124, 14203 to 14212, 14224, 14255 to 14288, 15600, 16003 to 16512, 16515 to 51318, 90020 to 90096 and 90250 to 90282.

10 Paragraphs 1.2.6(3)(a), (b) and (c) of Schedule 1

Repeal the paragraphs, substitute:

- (a) the planning, management and supervision of the patient on home dialysis to which item 13104 applies;
- (b) participating in a video conferencing consultation referred to in items 90279, 90280, 90281 and 90282.

11 Subclause 1.2.7(1) of Schedule 1

Repeal the subclause, substitute:

- (1) Use this clause for items 3 to 723, 732, 900 to 6015, 6018 to 6024, 6028, 6051 to 6058, 6062, 6063, 10801 to 10816, 11012 to 11021, 11304, 11600, 11627, 11705, 11724, 11728, 11731, 11820, 11823, 11921, 12000, 12003, 12004, 12201, 13030 to 13104, 13106 to 13110, 13209, 13290 to 13700, 13815 to

13899, 14100 to 14124, 14203 to 14212, 14224, 14255 to 14288, 15600, 16003 to 16512, 16515 to 51318, 90020 to 90096 and 90250 to 90282.

12 Paragraphs 1.2.7(4)(a), (b) and (c) of Schedule 1

Repeal the paragraphs, substitute:

- (a) the planning, management and supervision of the patient on home dialysis to which item 13104 applies;
- (b) participating in a video conferencing consultation referred to in items 90279, 90280, 90281 and 90282.

13 Clauses 2.11.1 and 2.11.3 of Schedule 1

Repeal the clauses, substitute:

2.11.1 Restriction on timing of services in items 291 and 293

Items 291 and 293 may only apply once in a 12 month period.

14 Schedule 1 (item 293, column 2, paragraph (f))

Omit “or item 359”.

15 Schedule 1 (items 296, column 2)

Omit “item, item 297 or 299, or any of items 300 to 346, 353 to 358 and 361 to 370,”, substitute “item, or item 297 or 299 or any of items 300 to 308”.

16 Schedule 1 (items 297, column 2)

Omit “item, item 296 or 299, or any of items 300 to 346, 353 to 358 and 361 to 370,”, substitute “item, or item 296 or 299 or any of items 300 to 308”.

17 Schedule 1 (items 299, column 2)

Omit “item, item 296 or 297, or any of items 300 to 346, 353 to 358 and 361 to 370,”, substitute “item, or item 296 or 297 or any of items 300 to 308”.

18 Schedule 1 (items 300, 302, 304, 306, 308, 310, 312, 314, 316 and 318, column 2)

Omit “any of items 296, 300 to 308, 353 to 358 and 361 to 370”, substitute “item 296 or any of items 300 to 308”.

19 Schedule 1 (item 319, column 2)

Omit “any of items 296, 300 to 319, 353 to 358 and 361 to 370”, substitute “item 296 or any of items 300 to 308”.

20 Clause 2.12.1 of Schedule 1

Omit “384 to 389”, substitute “385 to 388”.

21 Clauses 2.18.1, 2.18.2 and 2.18.3 of Schedule 1

Repeal the clauses.

22 Paragraph 2.31.5(b) of Schedule 1

Omit “286, 287, 371 and 372”, substitute “286 and 287”.

23 Clause 2.31.5 of Schedule (note 2)

Omit “286, 287, 371 and 372”, substitute “286 and 287”.

24 Subclause 2.31.7(4) of Schedule 1

Omit “Items 90261 and 90263 do”, substitute “Item 90261 does”.

25 Subclause 2.31.8(1) of Schedule 1

Repeal the subclause.

26 Paragraph 2.31.9(3)(a) of Schedule 1

Omit “286, 287, 371 and 372”, substitute “286 and 287”.

27 Paragraph 2.31.9(3)(c) of Schedule 1

Omit “items 82350 and 82351”, substitute “item 82350”.

28 Clause 7.1.1 of Schedule 1 (definition of *amount under clause 2.18.3*)

Repeal the definition.