



Health Insurance (Professional Services Review Scheme) Amendment (Prescribed Pattern of Services) 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 (Professional Services Review Scheme) Amendment (Prescribed Pattern of Services) 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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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—Amendments

Health Insurance (Professional Services Review Scheme) Regulations 2019

1 Section 5

Insert:

relevant phone service means a service specified in any of the following items of the general medical services table:

- (a) an item in any of the following Subgroups of Group A40:
 - (i) Subgroup 2;
 - (ii) Subgroup 8;
 - (iii) Subgroup 10;
 - (iv) Subgroup 16;
 - (v) Subgroup 20;
 - (vi) Subgroup 28;
 - (vii) Subgroup 40;
 - (viii) Subgroup 41;
- (b) an item in Subgroup 3 of Group A45;
- (c) an item listed in the following table.

Relevant phone services—individual items

Item	Column 1 Group or Subgroup	Column 2 Items of the general medical services table
1	Subgroup 26 of Group A40	92176, 92177
2	Subgroup 1 of Group A41	93302, 93305
3	Subgroup 2 of Group A41	93308, 93311
4	Subgroup 2 of Group A42	93423
5	Subgroup 4 of Group A42	93453

Note: Some services are specified in items set out in determinations under subsection 3C(1) of the Act.

2 Section 5 (definition of *relevant service*)

Repeal the definition, substitute:

relevant service means a service specified in any of the following items of the general medical services table:

- (a) an item in Group A1, A2, A5, A6, A7, A9, A11, A13, A14, A15, A17, A18, A19, A20, A21, A22, A23, A27, A35, A39, A41, A42, A43 or A45;
- (b) an item in Subgroup 1 or 4 of Group A36;
- (c) an item in any of the following Subgroups of Group A40:
 - (i) Subgroup 1;
 - (ii) Subgroup 2;
 - (iii) Subgroup 3;
 - (iv) Subgroup 10;

- (v) Subgroup 11;
 - (vi) Subgroup 13;
 - (vii) Subgroup 15;
 - (viii) Subgroup 16;
 - (ix) Subgroup 19;
 - (x) Subgroup 20;
 - (xi) Subgroup 21;
 - (xii) Subgroup 27;
 - (xiii) Subgroup 28;
 - (xiv) Subgroup 29;
 - (xv) Subgroup 39;
 - (xvi) Subgroup 40;
 - (xvii) Subgroup 41;
- (d) an item listed in the following table.

Relevant services—individual items		
Item	Column 1 Group or Subgroup	Column 2 Items of the general medical services table
1	A29	139
2	A36	90264, 90265
3	Subgroup 17 of Group A40	92142
4	Subgroup 25 of Group A40	92170, 92171
5	Subgroup 26 of Group A40	92176, 92177

Note: Some services are specified in items set out in determinations under subsection 3C(1) of the Act.

3 Section 8

Repeal the section, substitute:

8 Circumstances for medical practitioners for prescribed pattern of services

For the purposes of section 82A of the Act, circumstances in which services rendered or initiated by a medical practitioner constitute a *prescribed pattern of services* are that:

- (a) the medical practitioner renders or initiates 80 or more relevant services on each of 20 or more days in a 12 month period; or
- (b) the medical practitioner renders or initiates 30 or more relevant phone services on each of 20 or more days in a 12 month period.

4 Subsection 11(1)

Omit “paragraph 106XB(3)(a)”, substitute “subsection 106XB(3)”.

5 Subsection 11(2)

Omit “paragraph 106XB(3)(b)”, substitute “subsection 106XB(3)”.