



Health Insurance (Section 3C Midwife and Nurse Practitioner Services) Amendment (No. 2) Determination 2021

I, Nigel Murray, delegate of the Minister for Health and Aged Care, make the following Determination.

Dated 17th December 2021

Nigel Murray
Assistant Secretary
MBS Policy and Specialist Services Branch
Medical Benefits Division
Health Resourcing Group
Department of Health

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1 Name

This instrument is the *Health Insurance (Section 3C Midwife and Nurse Practitioner Services) Amendment (No. 2) Determination 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 March 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Note: This table relates only to the provisions of this instrument as originally made.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 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Health Insurance (Section 3C Midwife and Nurse Practitioner Services) Determination 2020

1. Subsection 7(1) (definition of *delivery*)

Repeal the definition, substitute:

birth includes episiotomy and repair of tears.

2. Section 12

Repeal the section, substitute:

12. Labour and birth

- (1) Items 82116, 82118, 82120, 82123, 82125 and 82127 in Part 1 of Schedule 1 apply only to a service provided by a participating midwife during a period of exclusive care of a patient in labour.
- (2) Items 82116, 82118, 82120, 82123, 82125 and 82127 in Part 1 of Schedule 1 do not apply if, before labour, the patient's care is transferred to an obstetrician or medical practitioner who provides obstetric services, for the obstetrician or practitioner to manage the labour and birth.
- (3) Items 82118 and 82120 in Part 1 of Schedule 1 applies to a service provided by a participating midwife (the *first midwife*) who manages a patient's labour, but does not undertake the birth, only if:
 - (a) the patient's care was transferred from the first midwife to another participating midwife in order to manage fatigue experienced by the first midwife; or
 - (b) there was a clinical need to transfer the patient's care to an obstetrician or medical practitioner who provides obstetric services.
- (4) Items 82123 and 82125 in Part 1 of Schedule 1 applies to services provided by a participating midwife (the *second midwife*) who manages a patient's labour, but does not undertake the birth, only if:
 - (a) the patient's care was transferred from the second midwife to another participating midwife in order to manage fatigue experienced by the second midwife; or
 - (b) there was a clinical need to transfer the patient's care to an obstetrician or medical practitioner who provides obstetric services.
- (5) Item 82127 in Part 1 of Schedule 1 applies to services provided by a participating midwife (the *third midwife*) who manages a patient's labour, but does not undertake the birth, only if:
 - (a) the patient's care was transferred from the third midwife to another participating midwife to manage fatigue experienced by the third midwife; or

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- (b) there was a clinical need to transfer the patient's care to an obstetrician or medical practitioner who provides obstetric services.

3. Schedule 1 (item 82115)

Repeal the item, substitute:

82115	Professional attendance by a participating midwife, lasting at least 90 minutes, for assessment and preparation of a maternity care plan for a patient whose pregnancy has progressed beyond 28 weeks, where the participating midwife has had at least 2 antenatal attendances with the patient in the preceding 6 months, if: <ul style="list-style-type: none">(a) the patient is not an admitted patient of a hospital; and(b) the participating midwife undertakes a comprehensive assessment of the patient; and(c) the participating midwife develops a written maternity care plan that contains:<ul style="list-style-type: none">(i) outcomes of the assessment; and(ii) details of agreed expectations for care during pregnancy, labour and birth; and(iii) details of any health problems or care needs; and(iv) details of collaborative arrangements that apply to the patient; and(v) details of any medication taken by the patient during the pregnancy, and any additional medication that may be required by the patient; and(vi) details of any referrals or requests for pathology services or diagnostic imaging services for the patient during the pregnancy, and any additional referrals or requests that may be required for the patient; and(d) the maternity care plan is explained and agreed with the patient; and(e) the fee does not include any amount for the management of labour and birth; <p>(Includes any antenatal attendance provided on the same occasion) Payable only once for any pregnancy; This item cannot be claimed if items 16590 or 16591 have previously been claimed during a single pregnancy, except in exceptional circumstances</p>	331.90
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82116	<p>Management of labour for up to 6 hours, not including birth, at a place other than a hospital if:</p> <ul style="list-style-type: none"> (a) the attendance is by the participating midwife who: <ul style="list-style-type: none"> (i) provided the patient's antenatal care or (ii) is a member of a practice that has provided the patient's antenatal care; and (b) the total attendance time is documented in the patient notes; <p>This item does not apply if birth is performed during the attendance; Only claimable once per pregnancy</p>	783.85
82118	<p>Management of labour for up to 6 hours total attendance, including birth where performed or attendance and immediate post-birth care at an elective caesarean section if:</p> <ul style="list-style-type: none"> (a) the patient is an admitted patient of a hospital; and (b) the attendance is by the first participating midwife who: <ul style="list-style-type: none"> (i) assisted or provided the patient's antenatal care; or (ii) is a member of a practice that has provided the patient's antenatal care; and (c) the total attendance time is documented in the patient notes. <p>(Includes all hospital attendances related to the labour by the first participating midwife) Only claimable once per pregnancy; Not being a service associated with a service to which item 82120 applies (H)</p>	783.85

4. Schedule 1 (item 82120)

Repeal the item, substitute:

82120	<p>Management of labour between 6 and 12 hours total attendance, including birth where performed, if:</p> <ul style="list-style-type: none"> (a) the patient is an admitted patient of a hospital; and (b) the attendance is by the first participating midwife who: <ul style="list-style-type: none"> (i) assisted or provided the patient's antenatal care; or (ii) is a member of a practice that provided the patient's antenatal care; and (c) the total attendance time is documented in the patient notes; <p>(Includes all hospital attendances related to the labour by the first participating midwife) Only claimable once per pregnancy; Not being a service associated with a service to which item 82118 applies (H)</p>	1,567.70
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82123	<p>Management of labour for up to 6 hours total attendance, including birth where performed if:</p> <ul style="list-style-type: none"> (a) the patient is an admitted patient of a hospital; and (b) the attendance is by the second participating midwife who either: <ul style="list-style-type: none"> (i) assisted or provided the patient's antenatal care; or (ii) is a member of a practice that has provided the patient's antenatal care; and (c) the total attendance time is documented in the patient notes; <p>(Includes all hospital attendances related to the labour by the second participating midwife)</p> <p>Only claimable once per pregnancy;</p> <p>Not being a service associated with a service to which item 82125 applies (H)</p>	783.85
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5. Schedule 1 (item 82125)

Repeal the item, substitute:

82125	<p>Management of labour between 6 and 12 hours total attendance, including birth where performed, if:</p> <ul style="list-style-type: none"> (a) the patient is an admitted patient of a hospital; and (b) the attendance is by the second participating midwife who either: <ul style="list-style-type: none"> (i) assisted or provided the patient's antenatal care; or (ii) is a member of a practice that provided the patient's antenatal care; and (c) the total attendance time is documented in the patient notes; <p>(Includes all hospital attendances related to the labour by the second participating midwife)</p> <p>Only claimable once per pregnancy;</p> <p>Not being a service associated with a service to which item 82123 or 82127 applies (H)</p>	1,567.70
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82127	<p>Management of labour for up to 6 hours total attendance, including birth where performed if:</p> <ul style="list-style-type: none"> (a) the patient is an admitted patient of a hospital; and (b) the attendance is by a third participating midwife who either: <ul style="list-style-type: none"> (i) assisted or provided the patient's antenatal care; or (ii) is a member of a practice that has provided the patient's antenatal care; and (c) an attendance to which item 82123 applies has been provided by a second participating midwife who is a member of a practice that has provided the patient's antenatal care; and (d) the total attendance time is documented in the patient notes; <p>(Includes all hospital attendances related to the labour by the third participating midwife)</p> <p>Only claimable once per pregnancy;</p> <p>Not being a service associated with a service to which item 82125 applies (H)</p>	783.85
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6. Schedule 1 (items 82130, 82135 and 82140, column 2)

Omit “delivery”, substitute “birth”.