



Health Insurance Legislation Amendment (2022 Measures No. 2) Determination 2022

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

Dated 24 February 2022

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

Contents

1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Schedules	1
Schedule 1— Telehealth amendments	2
Schedule 2— Extension of smoking cessation services	4
Schedule 3— Fee amendments	5

1 Name

This instrument is the *Health Insurance Legislation Amendment (2022 Measures No. 2) Determination 2022*.

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	Immediately after registration of this instrument.	
2. Schedules 1 to 2	Day after registration of this instrument.	
3. Schedule 3	Immediately after commencement of Schedule 1 of the <i>Health Insurance Legislation Amendment (Section 3C General Medical Services – Telehealth and Phone GP Fee Alignment) Determination 2021</i> .	

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Health Insurance (Section 3C General Medical Services – Telehealth and Telephone Attendances) Determination 2021

1. Subsection 5(1) (definition of *person who is in a COVID-19 Commonwealth declared hotspot*)

Repeal the definition.

2. Subsection 7(5)

After “Schedule 1”, insert “or 8”.

3. Paragraph 7(6)(a)

Repeal the paragraph, substitute:

- (a) a service provided to:
 - (i) a person who is under the age of 12 months; or
 - (ii) a person who is experiencing homelessness; or
 - (iii) a person who is in COVID-19 isolation because of a State or Territory public health order; or
 - (iv) a person who is in COVID-19 quarantine because of a State or Territory public health order; or
 - (v) a person who receives the service from a medical practitioner located at an Aboriginal Medical Service or an Aboriginal Community Controlled Health Service; or
 - (vi) a person who is in a flood affected area; or

4. Schedule 3 (subclause 3.1.2(5))

Repeal the subclause, substitute:

- (5) If a child has previously been provided with a service mentioned in item 289 of the general medical services table or item 92434 or 92474, a consultant physician specialising in the practice of his or her field of psychiatry may only refer the child for a service to which any of items 296 to 352 of the general medical services table or to which any of items 91827, 91828, 91829, 91830, 91831, 91837, 91838, 91839, 91840, 91841, 92437, 92455, 92456, 92457, 92458, 92459 or 92460, 92477, 92495, 92496, 92497, 92498, 92499 or 92500 applies.

5. Schedule 3 (subclause 3.1.2(7) and (8))

Repeal the subclause, substitute:

- (7) If a child has previously been provided with a service mentioned in item 135 of the general medical services table or item 92140 or 92143, a consultant physician specialising in the practice of his or her field of paediatrics may only refer the

child for a service to which any of items 110 to 131 of the general medical services table or to which any of items 91824, 91825, 91826, 91834, 91835 or 91836 applies.

- (8) If a child has previously been provided with a service mentioned in item 137 or 139 of the general medical services table or item 92141, 92142 or 92144, the medical practitioner cannot refer the child for a service to which item 135 or 289 of the general medical services table or to which item 92140, 92434, 92474 or 92143 applies.

6. Schedule 3 (subclause 3.1.3(6))

Repeal the subclause, substitute:

- (6) If a child has previously been provided with a service mentioned in item 135 or 289 of the general medical services table or item 92140, 92143, 92434 or 92474 the medical practitioner cannot refer the child for a service to which item 137 or 139 of the general medical services table or item 92141, 92142 or 92144 applies.

7. Schedule 7 (after subclause 7.1.1(3))

Insert:

- (3) Clause 2.1.4 of this Determination shall have effect as if items 92523 and 92524 were specified in the clause.

8. Schedule 7 (item 92432, column 2)

After “recommendations”, omit “; and”.

Schedule 2— Extension of smoking cessation services

Health Insurance (Section 3C General Medical Services – Smoking Cessation Services) Determination 2021

9. Section 4

Omit “30 June 2022”, substitute “31 December 2023 at 11.59pm”.

Schedule 3— Fee amendments

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

10. Schedule 2 (item 93423, column 3)

Omit “74.60”, substitute “87.75”.

Health Insurance (Section 3C General Medical Services – Telehealth and Telephone Attendances) Determination 2021

11. Schedule 8 (item 92746, column 3)

Omit “89.10”, substitute “75.75”.

12. Schedule 8 (item 92747, column 3)

Omit “44.70”, substitute “38.00”.