



Dental Benefits Amendment (Allied Dental Practitioners) Rules 2022

I, Simon Cotterell, as delegate for the Minister for Health and Aged Care, make the following rules.

Dated 10 June 2022

Simon Cotterell
First Assistant Secretary
Primary Care Division
Primary and Community Care Group
Department of Health

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
Schedule 1—Amendments		2
	<i>Dental Benefits Rules 2014</i>	2

1 Name

This instrument is the *Dental Benefits Amendment (Allied Dental Practitioners) Rules 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. The whole of this instrument	The later of: (a) the day after this instrument is registered; and (b) 1 July 2022.	1 July 2022 (paragraph (b) applies)

Note: This table relates only to the provisions of this instrument as originally made.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 *Dental Benefits Act 2008*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Dental Benefits Rules 2014

1 Before rule 1

Insert:

Part 1—Preliminary

2 Rule 4

Before “In these Rules”, insert:

- Note: A number of expressions used in these Rules are defined in the Act, including the following:
- (a) Chief Executive Medicare;
 - (b) dental practitioner;
 - (c) dental provider;
 - (d) item.

3 Rule 4 (definition of *dental provider*)

Repeal the definition.

4 Rule 4

Insert:

registered dentist means a dental provider covered by paragraph 6(1)(a) of the Act.

5 Rule 4 (note 1)

Omit “Note 1”, substitute “Note:”.

6 Rule 4 (note 2)

Repeal the note.

7 Rule 6

Repeal the rule, substitute:

6 Dental providers

- (1) For the purposes of paragraph 6(1)(b) of the Act, a person included in one or more of the following classes of persons is a *dental provider* in relation to a dental service:
- (a) dental hygienists;
 - (b) dental therapists;
 - (c) oral health therapists.

Note: A registered dentist is also a *dental provider* in relation to a dental service (see the definition of *dental provider* in paragraph 6(1)(a) of the Act).

- (2) For the purposes of paragraph 6(2)(b) of the Act, a dental practitioner is not a dental provider in relation to a dental service if the dental practitioner has not been allocated a provider number by the Chief Executive Medicare.

8 Rule 7

Repeal the rule, substitute:

7 Persons eligible to render services on behalf of dental providers*Dental services rendered on behalf of registered dentists*

- (1) For the purposes of paragraph 7(a) of the Act, a dental service may be rendered on behalf of a registered dentist who is not a public sector dental provider by a person who is included in one or more of the following classes of persons:
- (a) dental hygienists;
 - (b) dental therapists;
 - (c) dental prosthetists;
 - (d) oral health therapists.

Dental services rendered on behalf of public sector dental providers

- (2) For the purposes of paragraph 7(a) of the Act, a dental service may be rendered on behalf of a public sector dental provider who is a registered dentist by another public sector dental provider.

9 Before rule 8

Insert:

Part 2—Payment of dental benefits**10 After rule 8**

Insert:

8AA Dental benefit is not payable unless dental services rendered by appropriate dental providers

For the purposes of subsection 18(1) of the Act, dental benefit is not payable for a dental service specified in an item mentioned in column 1 of an item of the following table unless the condition that the dental service is rendered by, or on behalf of, a dental provider of a kind mentioned in column 2 of that table item is satisfied.

Dental benefit payable for dental services rendered by kinds of dental providers		
Item	Column 1 Item in the Dental Benefits Schedule	Column 2 Dental provider
1	Item 88314, 88322, 88323, 88324, 88326, 88351, 88392, 88412, 88415, 88416, 88417, 88418, 88419, 88421, 88455, 88458, 88597, 88721, 88722, 88723, 88724, 88731, 88733, 88736, 88741, 88761, 88762, 88764, 88765, 88766, 88768, 88942 or 88943.	A registered dentist
2	Item 88311, 88316, 88384, 88386, 88387, 88411, 88414, 88511, 88512, 88513, 88514, 88515, 88521, 88522, 88523, 88524, 88525, 88531, 88532, 88533, 88534, 88535, 88574,	A dental provider of a kind who is: (a) a registered dentist; or (b) a dental therapist; or

Dental benefit payable for dental services rendered by kinds of dental providers		
Item	Column 1	Column 2
	Item in the Dental Benefits Schedule	Dental provider
	88575, 88579, 88586 or 88587.	(c) an oral health therapist.

Note: This condition does not apply for dental services specified in other items in the Dental Benefits Schedule.

11 Before rule 9

Insert:

Part 3—Dental benefits vouchers

12 Before rule 14

Insert:

Part 4—Other conditions, limitations or restrictions for items

13 After rule 29

Insert:

Part 5—Application, savings and transitional provisions

Division 1—Amendments made by the Dental Benefits Amendment (Allied Dental Practitioners) Rules 2022

30 Application of amendments

The amendments made by the *Dental Benefits Amendment (Allied Dental Practitioners) Rules 2022* apply in relation to the payment of dental benefits for dental services that are rendered on or after 1 July 2022.