



Health Insurance (Section 3C Diagnostic Imaging – Nuclear Medicine Services) Amendment (PET and Technetium-99m) Determination 2022

I, Travis Haslam, delegate of the Minister for Health and Aged Care, make the following Determination.

Dated 17 August 2022

Travis Haslam
Acting First Assistant Secretary
Medical Benefits Division
Health Resourcing Group
Department of Health and Aged Care

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1 Name

This instrument is the *Health Insurance (Section 3C Diagnostic Imaging – Nuclear Medicine Services) Amendment (PET and Technetium-99m) 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. The whole of this instrument	1 November 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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Diagnostic Imaging – Nuclear Medicine Services) Determination 2019

1. Section 4(1)

Repeal the following definitions:

Definition of *Modified Monash 3 area*;

Definition of *Modified Monash 4 area*;

Definition of *Modified Monash 5 area*;

Definition of *Modified Monash 6 area*;

Definition of *Modified Monash 7 area*.

2. Section 4(1)

Insert:

report means a report prepared by a medical practitioner.

(R) has the meaning given by clause 1.2.15 of the diagnostic imaging services table.

3. Section 6 (below the heading)

Repeal the section, substitute:

- (1) Clause 1.2.17 of the diagnostic imaging services table shall have effect as if the items in Schedule 1 of this instrument were specified for the purpose of that clause.
- (2) Clause 2.4.2 of the diagnostic imaging services table does not apply to the items in Schedule 1 of this instrument.

4. Section 7

Repeal the section, substitute:

7. Restriction on items – services connected with provision of PET nuclear scanning during Technetium-99m interruptions

- (1) Items 61333, 61336 and 61341 only apply to a service described in the item, if:

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- (a) the patient's clinical condition requires the service to be performed before the resumption of normal technetium-99m supply is anticipated by the practitioner who provides the service; and
 - (b) the report of the service performed includes a justification for the substitute service, which describes the unavailability of a service to which item 61348, 61402, 61421 or 61425 applies.

8. PET nuclear scanning services

- (1) Items 61333, 61336 and 61341 apply only if the service is performed on a person:
 - (a) in a comprehensive facility; and
 - (b) in accordance with sections 9 and 10.
- (2) Also, the items apply only if the owner or operator of the equipment used to perform the service is not in breach of section 11.

9. PET nuclear scanning services—performance under personal supervision

- (1) For the purposes of section 8, the service must be performed on a person by or under the personal supervision of:
 - (a) a credentialled specialist; or
 - (b) a medical practitioner other than the requesting practitioner if the medical practitioner:
 - (i) is a Fellow of the RACP or RANZCR; and
 - (ii) has reported 400 or more studies forming part of PET services for which a medicare benefit was payable; and
 - (iii) is authorised under State or Territory law to prescribe and administer to humans the PET radiopharmaceuticals that are to be administered to the person; and
 - (iv) met the requirements of subparagraphs (i), (ii) and (iii) before 1 November 2011.

10. PET nuclear scanning services—equipment

- (1) For the purposes of section 8, the service must be performed on a person using equipment that meets the requirements set out in *Requirements for PET Accreditation (Instrumentation & Radiation Safety) 3rd Edition (2017)*, issued by the Australian and New Zealand Society of Nuclear Medicine Inc, as existing on 1 July 2020.

Note: The *Requirements for PET Accreditation (Instrumentation & Radiation Safety) 3rd Edition (2017)* could in 2020 be viewed on the website of the Society (<https://www.anzsnm.org.au>).

11. PET nuclear scanning services—statutory declaration

- (1) The owner or operator mentioned in subsection 8(2) must have given a statutory declaration to the Chief Executive Medicare that includes the following information:
- (a) whether the owner or operator is a credentialed specialist or a medical practitioner who satisfies the requirements mentioned in subparagraphs 9(1)(b)(i) to (iv);
 - (b) whether the place where the owner or operator provides the service in a comprehensive facility;
 - (c) whether the equipment meets the requirements mentioned in section 10;
 - (d) the facility's address;
 - (e) the provider number for the facility given by the Chief Executive Medicare;
 - (f) the location specific practice number for the facility given by the Minister;
 - (g) the models, serial numbers and manufacturers of the equipment.
- (2) If the matters declared in the statutory declaration change, the owner or operator must give the Chief Executive Medicare written notice of the change as soon as the owner or operator knows about the change.

5. Schedule 1

Repeal the schedule, substitute:

Schedule 1 — Relevant services

Group I4 – Nuclear Medicine Imaging		
Column 1	Column 2	Column 3
Item	Description	Fee (\$)
Subgroup 2– PET		
61333	Lung ventilation study using Galligas and lung perfusion study using gallium-68 macro aggregated albumin (⁶⁸ Ga-MAA), with PET, if the service is performed because the service to which item 61348 applies cannot be performed due to unavailability of technetium-99m (R)	443.35
61336	Cerebral study, with PET, if the service is performed because the service to which item 61402 applies cannot be performed due to unavailability of technetium-99m (R)	605.05
61341	Bone study – whole body with PET, with delayed imaging when undertaken, if the service is performed because the services to which item 61421 or 61425 apply cannot be performed due to unavailability of technetium-99m (R)	600.70

6. Schedule 2

Repeal the schedule.