

Health Insurance (Professional Services Review – Allied Health, Primary Health Care and Others) Determination 2023

I, Mark Butler, Minister for Health and Aged Care, make the following determination.

Dated 21 March 2023

Mark Butler

Minister for Health and Aged Care

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1 Name

This instrument is the *Health Insurance (Professional Services Review – Allied Health, Primary Health Care and Others) Determination 2023*.

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 April 2023 | 1 April 2023 |

Note: This table relates only to the provisions of this instrument as originally made.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.

1. 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 81(1A) of the *Health Insurance Act 1973*.

4 Repeal

The *Health Insurance (Professional Services Review – Allied Health and Others) Determination 2012* is repealed.

5 Interpretation

1. In this instrument:

***Aboriginal and Torres Strait Islander health practitioner*** means a person who is registered under the National Law in the Aboriginal and Torres Strait Islander health practice profession.

Note: a person registered in the Aboriginal and Torres Strait Islander health practice profession may use the following titles:

* Aboriginal and Torres Strait Islander health practitioner;
* Aboriginal health practitioner;
* Torres Strait Islander health practitioner.

***Aboriginal health worker*** means a person in a State or Territory other than the Northern Territory, who has been either:

1. awarded a Certificate III in Aboriginal and/or Torres Strait Islander Primary Health Care (or an equivalent or higher qualification) by a registered training organisation; or
2. awarded a Certificate III in Aboriginal and Torres Strait Islander Health (or an equivalent or higher qualification) by a registered training organisation before 1 July 2012.

***Act*** means the *Health Insurance Act 1973*.

***Audiologist*** means a person who is:

1. a Full Member of Audiology Australia and is certified as an ‘Audiology Australia Accredited Audiologist’; or
2. an Ordinary Member—Audiologist, or a Fellow Audiologist, of the Australian College of Audiology.

***Diabetes educator*** means a person who is credentialled by the Australian Diabetes Educators Association as a ‘Credentialled Diabetes Educator’.

***Dietitian*** means a person who is accredited by the Dietitians Association of Australia as an ‘Accredited Practising Dietitian’.

***Exercise physiologist*** means a person who is accredited by Exercise and Sports Science Australia as an ‘Accredited Exercise Physiologist’.

***Mental health nurse*** means a person who is a ‘Credentialed Mental Health Nurse’, as certified by the Australian College of Mental Health Nurses.

***Occupational therapist*** means a person who is registered under the National Law in the occupational therapy profession.

***Orthoptist*** means a person who is:

1. registered with the Australian Orthoptic Board; and
2. a member of Orthoptics Australia.

***Psychologist*** means a person who is registered under the National Law in the psychology profession.

***Social worker*** means a person who is a member of the Australian Association of Social Workers.

***Speech pathologist*** means a person who is a practising member of Speech Pathology Australia.

Note: The following term is defined in subsection 3(1) of the Act:

* National Law.

6 Practitioners

For the purposes of paragraph 81(1A)(a) of the Act, a health professional listed in Schedule 1 is a practitioner.

7 Professions

For the purposes of paragraph 81(1A)(b) of the Act, a vocation listed in Schedule 2 is a profession.

8 Savings provisions

Despite the repeal of the *Health Insurance (Professional Services Review - Allied Health and Others) Determination 2012*, that instrument continues to apply to a practitioner in relation to a request made under subsection 86(1) of the Act before 1 April 2023 as if the repeal had not happened.

Schedule 1 – Health professionals determined to be practitioners

| Item | Practitioners |
| --- | --- |
| 1 | Aboriginal and Torres Strait Islander health practitioners |
| 2 | Aboriginal health workers |
| 3 | Audiologists |
| 4 | Diabetes educators |
| 5 | Dietitians |
| 6 | Exercise physiologists |
| 7 | Mental health nurses |
| 8 | Occupational therapists |
| 9 | Orthoptists |
| 10 | Psychologists |
| 11 | Social workers |
| 12 | Speech pathologists |

Schedule 2 – Vocations determined to be professions

| Item | Professions |
| --- | --- |
| 1 | Aboriginal and Torres Strait Islander health practice |
| 2 | Aboriginal health worker services |
| 3 | Audiology |
| 4 | Diabetes education |
| 5 | Dietetics |
| 6 | Exercise physiology |
| 7 | Mental health nursing |
| 8 | Occupational therapy |
| 9 | Orthoptic health services |
| 10 | Psychology |
| 11 | Social work |
| 12 | Speech pathology |