



Private Health Insurance Legislation Amendment Rules (No. 7) 2023

I, Andrew Rintoul, delegate of the Minister for Health and Aged Care, make the following Rules.

Dated 13 September 2023

Andrew Rintoul
A/g Assistant Secretary
Private Health Strategy Branch
Benefits Integrity Division
Health Resourcing Group
Department of Health and Aged Care

Contents

1 Name.....	1
2 Commencement.....	1
3 Authority.....	1
4 Schedules.....	1
Schedule 1—Amendments—Nursing-home type patient contribution	2
<i>Private Health Insurance (Complying Product) Rules 2015</i>	2
Schedule 2—Amendments—Procedure types and nursing-home type patient minimum accommodation benefits	3
<i>Private Health Insurance (Benefit Requirements) Rules 2011</i>	3
Schedule 3—Amendments—Procedure types	4
<i>Private Health Insurance (Benefit Requirements) Rules 2011</i>	4

1 Name

This instrument is the *Private Health Insurance Legislation Amendment Rules (No. 7) 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. Schedules 1 and 2	20 September 2023	20 September 2023
2. Schedule 3	1 November 2023	1 November 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Note: This table relates only to the provisions of this instrument as originally made.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.

(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 333-20(1) of the *Private Health Insurance Act 2007*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Private Health Insurance (Complying Product) Rules 2015

1 Subsection 8A(3) (paragraph (a) of the definition of patient contribution)

Repeal the paragraph, substitute:

(a) in relation to a nursing-home type patient at a public hospital, the following amount for the State or Territory in which the hospital is located:

- (i) Australian Capital Territory - \$70.55;
- (ii) New South Wales - \$74.20;
- (iii) Northern Territory - \$74.20;
- (iv) Queensland - \$74.20;
- (v) South Australia - \$74.20;
- (vi) Tasmania - \$74.20;
- (vii) Victoria - \$74.20; and
- (viii) Western Australia - \$74.20.

2 Subsection 8A(3) (paragraph (b) of the definition of *patient contribution*)

Omit “\$70.55”, substitute “\$74.20”.

Schedule 2—Amendments—Procedure types and nursing-home type patient minimum accommodation benefits

Private Health Insurance (Benefit Requirements) Rules 2011

1 Subclause 4(1) of Schedule 3

Repeal the subclause, substitute the following:

- (1) Hospital treatment that involves a professional service of the type identified by the MBS item number specified in the following table in this clause is Band 1 treatment for the purposes of the tables in clause 2 of this Schedule:

Type B day procedures: Band 1 – list of MBS items

11801, 13100, 13103, 13706, 13950, 30210, 30475, 30679, 32075, 32084, 32087, 32095, 32215, 35500, 36665, 39000, 41674, 42575, 42741, 55118, 55600, 55603

2 Clause 6 of Schedule 4 (Table 1, table item dealing with New South Wales, column headed “Minimum benefit per night”)

Omit “\$160.20”, substitute “\$165.60”.

3 Clause 6 of Schedule 4 (Table 1, table item dealing with Northern Territory, column headed “Minimum benefit per night”)

Omit “\$140.05”, substitute “\$147.19”.

4 Clause 6 of Schedule 4 (Table 1, table item dealing with Queensland, column headed “Minimum benefit per night”)

Omit “\$141.00”, substitute “\$145.80”.

5 Clause 6 of Schedule 4 (Table 1, table item dealing with Tasmania, column headed “Minimum benefit per night”)

Omit “\$169.31”, substitute “\$178.10”.

6 Clause 6 of Schedule 4 (Table 1, table item dealing with Western Australia, column headed “Minimum benefit per night”)

Omit “\$144.75”, substitute “\$148.40”.

7 Clause 6 of Schedule 4 (Table 2, table item dealing with Private hospitals, column headed “Minimum benefit per night”)

Omit “\$40.55”, substitute “\$36.90”.

Schedule 3—Amendments—Procedure types

Private Health Insurance (Benefit Requirements) Rules 2011

1 Subclause 4(3) of Schedule 1

Omit “\$934.15”, substitute “\$938.80”.

2 Subclause 6(3) of Schedule 1

Omit “\$278.15 to \$934.15”, substitute “\$279.55 to \$938.80”.