

## Regulations 1978 No. 18

### Regulations under the *Health Commission Ordinance 1975*\*

I, RALPH JAMES DUNNET HUNT, the Minister of State for Health, hereby make the following Regulations under the *Health Commission Ordinance 1975*.

Dated this twentieth day of October 1978.

RALPH J. HUNT  
Minister of State for Health

### AMENDMENTS OF THE HEALTH COMMISSION (CHARGES) REGULATIONS†

1. These Regulations shall come into operation on 1 November 1978. Commence-  
ment

2. Regulation 2 of the Health Commission (Charges) Regulations is amended— Interpret-  
ation

(a) by inserting, before the definition of “intensive nursing-home care”, the following definition:

“‘hospital insured person’ has the same meaning as in the *Health Insurance Act 1973*;”;

(b) by inserting, after the definition of “intensive-care patient”, the following definition:

“‘medically insured person’ has the same meaning as in the *Health Insurance Act 1973*;”;

(c) by omitting the definitions of “private patient” and “privately insured person” and substituting the following definition:

“‘private patient’ means—

(a) a patient who is a hospital insured person;  
or

(b) a patient, not being a hospital insured person, in respect of whose treatment in a hospital services are not rendered solely by, or on behalf of, the Commission;”;

(d) by omitting “1 November 1977” from the definition of “standard medical benefits table” and substituting “1 July 1978”.

\* Notified in the *Commonwealth of Australia Gazette* on 27 October 1978.

† Regulations 1975 No. 13 as amended by Regulations 1976 No. 18; 1977 Nos. 11, 15, 24 and 28; and 1978 Nos. 7, 8, 15 and 17.

**Hospital  
fees**

**3. Regulation 3 of the Health Commission (Charges) Regulations is amended—**

- (a) by omitting from sub-regulation (8) “privately insured person” and substituting “hospital insured person”; and
- (b) by omitting from sub-regulation (10) “privately insured person” and substituting “hospital insured person”.

**Out-patient  
fees**

**4. Regulation 3A of the Health Commission (Charges) Regulations is amended by omitting from sub-regulation (2) “privately insured person” and substituting “hospital insured person”.**

**5. Regulation 6A of the Health Commission (Charges) Regulations is repealed and the following regulation substituted:**

**Fees for  
medical  
services,  
other than  
pathology  
services**

“6A. (1) Subject to sub-regulation (2), the prescribed charge, for the purpose of sub-section 74 (1) of the Ordinance, for a professional service, other than a pathology service, provided by the Commission is an amount equal to the fee specified in respect of that professional service in the standard medical benefits table in relation to the State of New South Wales.

“(2) Sub-regulation (1) does not apply in relation to—

- (a) a professional service provided—
  - (i) in pursuance of the Public Health (Medical and Dental Inspection of School Children) Regulations; or
  - (ii) in the course of a programme of child health care conducted by the Commission; or
- (b) a professional service provided at a hospital conducted by the Commission.”.

**Fees for  
pathology  
services**

**6. Regulation 6B of the Health Commission (Charges) Regulations is amended—**

- (a) by omitting from paragraph (1) (a) “85 per cent” and substituting “75 per cent”;
- (b) by omitting from paragraph (1) (b) “\$5” (wherever occurring) and substituting “\$10”; and
- (c) by omitting paragraphs (3) (d) and (3) (e) and substituting the following paragraphs:
  - “(d) a pathology service provided to—
    - (i) a patient in a hospital, other than a private patient; or
    - (ii) a private patient who has made an election under sub-regulation 3 (8);

- (e) a pathology service provided in the course of a programme of child health care conducted by the Commission; or
- (f) a pathology service provided by the Commission in connection with a professional service provided to a person as an out-patient at a hospital conducted by the Commission, not being a professional service to which sub-regulation 3A (1) applies.”.

**7. (1)** Regulation 6A of the Health Commission (Charges) Regulations, as amended by these Regulations, does not apply in relation to a professional service provided by the Commission where any act forming part of the provision of that service was done before 1 November 1978. Application

**(2)** Regulation 6A of the Health Commission (Charges) Regulations, as in force immediately before the commencement of these Regulations, continues to apply in relation to a professional service provided by the Commission where any act forming part of the provision of that service was done before the commencement of these Regulations.

**(3)** In this regulation, “professional service” has the same meaning as in the Health Commission (Charges) Regulations as amended by these Regulations.