

AUSTRALIAN CAPITAL TERRITORY

HEALTH COMMISSION (CHARGES) REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

No. 3 of 1984

The Health Commission (Charges) Regulations have been amended because alterations to the Regulations were required by the introduction of Medicare on 1 February 1984.

The previous definitions of “Australian resident” and “eligible pensioner” have been deleted and new definitions of those phrases have been substituted. An “Australian resident” is now defined to mean a person who is ordinarily resident in Australia and includes a person domiciled in Australia. Exceptions have been made for diplomats and their families, diplomatic staff and their families and domestic employees of the preceding groups where the employee is not an Australian citizen and is not domiciled in Australia. An “eligible pensioner” has been defined as a person in receipt of specified pensions under the Social Security Act 1947, the Repatriation Act 1920 and the Tuberculosis Act 1948.

Other changes to the definitions in the Regulations have been made to facilitate the amendment of the Regulations to conform with the Medicare scheme under which a person who does not elect to be a private patient and who is not a nursing home type patient will, with specified exceptions, not be subject to charges for hospital accommodation. The exceptions are persons who have the right to recover from another person, by way of compensation, the cost of hospital accommodation – these persons are defined as “compensable persons” – and persons who are defined as “non-eligible persons” who are basically persons who are not Australian residents.

There will be no charges in the Regulations for outpatient services provided by the Commission’s hospitals.

As amended the Regulations provide that a patient at a hospital may elect not to receive medical treatment exclusively from persons employed by the Commission or acting at the request of the Commission. A person who does so will be a private patient and will be liable for hospital accommodation charges.

Persons liable for hospital accommodation charges are divided into three categories basically depending on their length of stay in hospital. These categories are short stay patients, who basically are inpatients for less than 8 hours, standard patients, who are neither short stay patients or nursing home type patients, and nursing home type patients, who are basically those patients in hospital for more than 35 days.

As a result of the amendments only those defined as compensable persons or as non-eligible persons will be liable for fees for pathology services provided by the Commission.

The Regulations now provide that repatriation pensioners as well as those previously listed as exempted from ambulance fees are not liable for fees for Capital Territory Health Commission ambulance services.