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HEALTH ACT 1993

DEPARTMENT OF HEALTH

DETERMINATION OF FEES AND CHARGES

A.C.T. DETERMINATION NO. 19 OF 1994

Pursuant to the powers conferred on the Minister of State under Section 17 of the Health Act 1993, and delegated to the Secretary to the Department of Health by an Instrument dated 20 April 1993, I JOHN STANFORD AYLING, Acting Secretary to the Department of Health cancel the Determination of Fees and Charges No 131 of 1993 dated 23 September 1993 which was published in Australian Capital Territory Gazette No S199 on 23 September 1993 and make the following Determination to take effect from the date of gazettal:

1. (1) In this Determination, unless the contrary intention appears:

"A right to recover from any person, by way of compensation or damages" does not include a right to recover compensation pursuant to the Criminal Injuries Compensation Act 1983,

"Act" means Health Act 1993, (ACT)

"Australian resident" means a person who is ordinarily resident in Australia and includes a person domiciled in Australia but does not include a person who is

- (a) the head of a diplomatic mission, or the head of a consular post, established in Australia,
- (b) a member of the staff of a diplomatic mission, or a member of the consular staff of a consular post, established in Australia,
- (c) a member of the family of a person referred to in paragraph (a) or (b), being a member who forms part of the household of that person,
- (d) employed on a fulltime basis to perform domestic or other private services for a person referred to in paragraphs (a), (b) or (c),

being a person who is not an Australian citizen or is not a person domiciled in Australia,

"community health centre" means a community health centre conducted by the Department of Health for the Territory;

"compensable patient" means:-

- (a) in relation to a hospital, an inpatient of the hospital who in the opinion of the General Manager Woden Valley Hospital, has, or may have, a right to recover from any person, by way of compensation or damages, the cost of hospital accommodation ;
- (b) in relation to a community health centre, a patient of the community health centre who in the opinion of the Secretary, has, or may have, a right to recover from any person, by way of compensation or damages, the cost of services provided at the community health centre;

"compensable person" means a person -

- (a) (i) to whom a pathology service is provided at a hospital;

or

(ii) who is conveyed by means of an ambulance service to or from a hospital, and
- (b) who, in the opinion of the General Manager Woden Valley Hospital, has, or may have, a right to recover from any person, by way of compensation or damages, the cost of the service,

"day care patient" means a person other than a compensable patient or a non-eligible person who attends hospital for a period that does not include a part of an overnight stay for the purpose of permitting the provision of professional attention to the person,

"extended-stay resident" means a person who has not attained the age of 16 years who has been admitted to a hostel for continuous or intermittent accommodation at the hostel during a specific period exceeding 28 days or indefinitely;

"extensive care patient" means a patient who needs extensive nursing care,

"extensive invasive diagnostic procedure" means a diagnostic procedure of more than 30 minutes duration that involves the insertion of an instrument into the body of the patient through cutaneous or mucous tissue or through a bodily orifice,

"extensive nursing care" means care of a type given in a nursing home to a person -

- (a) who, by reason of infirmity, or an illness, disease, incapacity or disability, is bedridden or virtually bedridden and is wholly or substantially dependent on nursing care; or
- (b) who is undergoing treatment for an illness, disease, incapacity or disability and, for the purposes of that treatment, is wholly or substantially dependent on nursing care;

"hostel" means a hostel conducted by the Department of Health for the Territory,

"hospital" means the premises known as the Woden Valley Hospital;

"hospital patient" in relation to a hospital, means an inpatient of the hospital other than a private patient,

"inpatient" means a person who is formally admitted to hospital and then after a period of time discharged,

"medical practitioner" means a person registered as a medical practitioner under the Medical Practitioners Act 1930,

"Medicare Benefits Schedule Book" means the table of medical services prescribed for the purposes of subsection 4(2) of the Commonwealth Health Insurance Act 1973;

"multiple-bed room" means a room in which 2 or more beds are situated;

"non-eligible person" means -

- (a) a person who is not an Australian resident, or
- (b) a person in respect of whom, or a person included in a class or persons in respect of which, there is in force an order under Subsection 6(2) of the Commonwealth Health Insurance Act 1973;

"non-inpatient" with respect to a hospital means a patient other than an inpatient of the hospital who receives any examination(s), consultation(s) or treatment(s) or other service(s) from an individual functional unit of a health services facility,

"nursing-home type patient" means a nursing-home type patient for the purposes of the Commonwealth Health Insurance Act 1973 but does not include a compensable patient or a non-eligible person;

"occupational therapy service" means an occupational therapy service provided to a compensable non-inpatient or non-eligible person at a community health centre conducted by the ACT Government or at a hospital,

"ordinary patient" means a patient other than an extensive care patient,

"outpatient service" means any examination, consultation, treatment or other service provided to a non-inpatient or non-eligible person not being an inpatient of the hospital at a health services facility other than a community health centre, but does not include a Physiotherapy or Occupational Therapy Service,

"pathology service" means a professional service in respect of which a fee is specified in an item in Section 4 of the Medicare Benefits Schedule Book, being an item that includes the symbol "(OP)",

"person domiciled in Australia" means a person whose domicile is in Australia, other than a person in respect of whom the Minister for Health, Housing and Community Services is satisfied that the person's permanent place of abode is outside Australia,

"physiotherapy service" means any treatment or other service provided to a compensable non-inpatient or non-eligible person at a community health centre conducted by the Territory or at a hospital and which falls within the definition of physiotherapy in the Physiotherapists Registration Act 1977;

"private patient", in relation to a hospital, means an inpatient of the hospital who:-

- (a) has made an election to be treated as a private patient, and who has not revoked that election,
- or
- (b) is accommodated in a single room in the hospital at the patient's own request,

"professional service" means a service that is a professional service within the meaning of the Commonwealth Health Insurance Act 1973;

"short-stay resident" means a person who has not attained the age of 16 years who has been admitted to a hostel for continuous or intermittent accommodation at the hostel during a specific period not exceeding 28 days;

"single room" means a room in which 1 bed is situated,

"standard patient", in relation to a hospital, means an inpatient of the hospital, other than.-

(a) a day care patient;


or

(b) a nursing-home type patient

- (2) For the purposes of this Determination a request by a patient shall, in relation to a patient who has not attained the age of 18 years, be read as including a request by a parent or guardian of the patient.
- (3) For the purpose of the services listed at A, C, D, E, F and L of the Schedule to this Determination, the day on which a person commences to be accommodated in a hospital or a nursing home, or a hostel as a patient and the day on which that person ceases to be so accommodated shall be counted together as one day
- (4) For the purposes of the services listed at A, B and C of the Schedule to this Determination, where a child whose age is less than 12 months and the mother of that child are both accommodated in a hospital, they shall be treated as one patient unless the child and the mother both receive treatment
- (5) (a) For the purposes of the service listed at item E of the Schedule to this Determination where a person who has been admitted to a hostel is absent from the hostel for a period not exceeding 3 days the fees payable pursuant to the service listed at E shall apply as if the person had been accommodated in the hostel during the whole of the period
- (b) For the purposes of sub-clause (5)(a) of this Determination, the day on which the absence of a person from a hostel begins and the day on which that person returns to the hostel shall be reckoned as one day

- (6) For the purpose of the service listed at I.3 of the Schedule to this Determination, where an ambulance vehicle is made available for the transport of a person, the service listed at I.1 of the Schedule to this Determination shall apply as if the place at which the event or function is conducted were the station referred to in the service at I.1
2. The fee for the purposes of the service listed in Column 1 of the Schedule to this Determination shall, subject to any descriptions and/or limitations set out in Column 2 of the Schedule opposite to and in relation to that service be the amount listed in Column 3 of the Schedule opposite to and in relation to that service

Dated this 25 day of March 1994


JOHN STANFORD AYLING
Acting Secretary
Department of Health

SCHEDULE

| Column 1 Service | Column 2 Descriptions and/or Limitations | Column 3 Amount \$ per day |
|--|--|----------------------------------|
| A Hospital Accommodation Fees – Standard Patients | 1. If the patient is a private patient other than a compensable patient or a non-eligible person, and is: | |
| | (a) in a multiple-bed room, | \$191.00 |
| | (b) in a single room, otherwise than at the patient's request, | \$191.00 |
| | (c) in a single room, at the patient's request | \$350.00 |
| | 2. If the patient is a compensable patient, or a non-eligible person | \$543.00 |
| B Hospital Accommodation Fees – Day Care Patients | If the patient is a private patient and is provided with | |
| | (a) Type-B professional attention as determined under paragraph 4B(a) of the <u>Commonwealth National Health Act 1953</u> , | \$139.00 |
| | (b) procedures (other than those set out in paragraph (a)) carried out under local anaesthetic, no sedation Theatre time (actual time in theatre) less than one hour, | \$156.00 |
| | (c) procedures (other than those set out in paragraph (a)) carried out under general or regional anaesthetic or intravenous sedation Theatre time (actual time in theatre) less than one hour, | \$173.00 |

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| | (d) | procedures (other than those set out in paragraph (a)) carried out under general or regional anaesthetic or intravenous sedation Theatre time (actual time in theatre) one hour or more | \$191.00 |
| | | | |
| C. Hospital Accommodation Fees – Nursing-home Type Patients | 1 | If the patient has attained the age of 16 years and is: | |
| | (a) | a hospital patient, | \$24 15 |
| | (b) | a private patient. | \$80.50 |
| | | | |
| | 2 | If the patient has not attained the age of 16 years and is | |
| | (a) | a hospital patient, | Nil |
| | (b) | a private patient. | \$56 35 |
| | | | |
| D Nursing Home Accommodation Fees | 1. | If the patient has attained the age of 16 years and is: | |
| | (a) | an ordinary patient in a multiple-bed room, | \$57.50 |
| | (b) | an ordinary patient otherwise than at the patient's request in a single room, | \$57.50 |
| | (c) | an ordinary patient at the patient's request in a single room equipped with a bath, shower or toilet facilities, | \$61.92 |
| | (d) | an ordinary patient at the patient's request in a single room other than that referred to in paragraph (c), | \$59.71 |
| | (e) | an extensive care patient in a multiple-bed room, | \$63.50 |

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| (f) an extensive care patient otherwise than at the patient's request in a single room, | \$63.50 |
| (g) an extensive care patient at the patient's request in a single room equipped with a bath, shower or toilet facilities, | \$67.92 |
| (h) an extensive care patient at the patient's request in a single room other than that referred to in paragraph (g) | \$65.71 |
| 2 If the patient has not attained the age of 16 years and is | |
| (a) an ordinary patient in a multiple-bed room, | \$33.35 |
| (b) an ordinary patient otherwise than at the patient's request in a single room, | \$33.35 |
| (c) an ordinary patient at the patient's request in a single room equipped with a bath, shower or toilet facilities, | \$37.77 |
| (d) an ordinary patient at the patient's request in a single room other than that referred to in paragraph (c), | \$35.56 |
| (e) an extensive care patient in a multiple-bed room, | \$39.35 |
| (f) an extensive care patient otherwise than at the patient's request in a single room, | \$39.35 |

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| | (g) an extensive care patient at the patient's request in a single room equipped with a bath, shower or toilet facilities, | \$43 77 |
| | (h) an extensive care patient at the patient's request in a single room other than that referred to in paragraph (g) | \$41.56 |
| | 3. If the patient has or has not attained the age of 16 years and is absent from the Nursing Home for a period of, or periods totalling, | |
| | (a) the first 28 days, | \$24 15 |
| | (b) over 28 days, | An amount equal to the fee applicable for the service listed at D.1 or D.2 of the Schedule |
| | in any period of 12 months commencing 1 July and ending 30 June in each year | |
| E. Hostel Fees | Where the person is: | |
| | (a) an extended-stay resident, | \$1.00 |
| | (b) a short-stay resident, | \$2 00 |
| | (c) in any other case | \$18 40 |
| F Accommodation where the person is other than a patient (not being a person to whom clause 1(5) applies) | Whether the accommodation is in a hospital or a nursing home or a hostel: | |
| | (a) for the first 7 days, | \$3 00 |
| | (b) for subsequent days | \$2 00 |

G Fees for Professional Services other than the Pathology Service

These do 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 program of child health care,

(b) a professional service provided at a hospital,

(c) a professional service provided at the request of a member of the Australian Federal Police acting in his or her capacity as such a member,

(d) a professional service provided in accordance with a request made, or a direction given under or for the purposes of, a law in force in the Territory,
or

(e) a professional service provided in the treatment or control of addiction to alcohol or a drug

An amount equal to the fee specified in respect of that professional service in the Schedule of Fees listed in the Medicare Benefits Schedule Book as amended from time-to-time

H Pathology Service Fees

Where the pathology service is provided by the ACT to

(a) a compensable person,

(b) a non-eligible person

An amount equal to the fee specified in relation to that pathology service in the Schedule of Fees listed in the Medicare Benefits Schedule Book as amended from time to time

I. Ambulance Fees

1. Where on the provision of the ambulance service for a person:

- (a) the distance necessarily travelled by the ambulance from its station and in returning to its station exceeds 16 kilometres, \$170.00 per service plus \$4 90 for every kilometre exceeding 16 kilometres
- (b) in any other case \$170.00 per service

2 Where 3 or more persons are transported together in an ambulance.

The amount payable by each person is equal to three quarters of the amount that would otherwise be payable under this Determination

3 Where the ambulance vehicle is made available at the request of a person or organisation conducting a sporting event or other public function and:

- (a) the vehicle is so made available for 4 hours or less, \$348.00 per service
- (b) the vehicle is made available for more than 4 hours. The aggregate of \$348.00 per service and an amount calculated at the rate of \$87.00 for each hour or part of an hour by which the period during which the vehicle is so made available exceeds 4 hours

J Outpatient Service Fees

Compensable non-inpatients and non-eligible persons

- First visit, \$100 00 per service
- Second and subsequent visits. \$66 00 per service

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| K | Physiotherapy, Occupational Therapy and Child Health and Development Service Fees | Compensable non-inpatients and non-eligible persons at Community Health Centres and Hospitals. First and subsequent consultation | \$66 00 |
| L | Patients' Personal Laundry | Patients at Nursing Homes | \$1.06 per day |
| M | Mass Vaccinations | Where there is a contract/agreement to vaccinate work groups etc against Hepatitis B, Tetanus, Influenza etc | \$6 60 per injection plus vaccine at cost |
| N | Radiation Safety Section | Consultancy fees for services provided to outside organisations | \$77.00 per hour |
| O | Use of Accommodation and Facilities | Use of theatre (after hours) | \$98 00 per hour |
| P | ACT Government 1 Analytical Laboratory | Dept of Defence – Army – Air Force | |
| | | (a) identification of suspect cannabis material, | \$77.00 per hour |
| | | (b) urine screening test, | \$77 00 per hour |
| | | (c) positive plus confirmation. | \$77.00 per hour |
| | | 2 Analytical services provided to other government bodies | \$77 00 per hour |

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| | 3. | Analysis of beverages for alcohol: – Australian Federal Police | |
| | (a) | blood alcohol analysis, | \$77 00 per hour |
| | (b) | preparation of standard alcohol solutions, | \$77 00 per hour |
| | (c) | physical evidence samples. | \$77.00 per hour |
| | 4 | Identification of asbestos in insulation | \$77.00 per hour |
| | 5. | Air monitoring for fibres. | \$77 00 per hour |
| | 6 | Low Sodium Clinic – sodium potassium levels in foods | \$77 00 per hour |
| | 7 | Analytical services for ACT Coroner's Office (Attorney General's Dept) | \$77.00 per hour |
| Q. Medical Records and Health Reports | 1. | Preparation of a report by the Medical Records Department as part of its medico–legal responsibilities | \$100.00 |
| | 2 | Preparation of a medical report by a treating medical practitioner appointed to or employed by Woden Valley Hospital requiring no further examination of the patient | \$150.00 |
| | 3 | Preparation of a medical report by a medical practitioner appointed to or employed by Woden Valley Hospital who has not previously treated the patient and no further examination of the patient is required | \$175 00 |
| | 4. | A report made by a treating medical practitioner appointed to or employed by Woden Valley Hospital where a re–examination is required | \$200.00 |

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| | 5 | A report made by a treating medical practitioner appointed to or employed by Woden Valley Hospital who has not previously treated the patient where an examination is required | \$250 00 |
| | 6. | Health records required to be produced by subpoena | |
| | (a) | Where at least 48 hours' notice is given for the production of the record to the Court | \$39 00 |
| | (b) | Where less than 48 hours' notice is given | \$59.00 |
| | 7 | Search fees | |
| | | Other than requests made by a party concerned with a patient's continued treatment or future management a search fee is to be charged where the applicant subsequently advises that a report/record is no longer required or where a thorough search has ascertained that the patient has never attended the hospital for that episode of illness. The fee also applies to requests for information on date or time of birth | \$30 00 |
| R | Pathology | Coronial post mortems | \$160 00 |
| S | Dental for Necessitous People | 1 Acrylic dentures | \$20 00 |
| | | 2 Chrome dentures | \$120.00 |
| | | 3 Relines and repairs | \$10 00 |
| | | 4 Resilient lining | \$20.00 |
| | | 5 Removable orthodontic appliance | \$20.00 |

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| T | Alcohol and Drug Service | 1 | Education programs | |
| | | (a) | One facilitator | \$35.00 per hour |
| | | (b) | Two facilitators | \$70.00 per hour |
| | | 2. | Service reports supplied insurance agents and solicitors | \$30.00 per session |
| U | Meals on Wheels | | Supplied to Red Cross for distribution | \$1 90 per meal |