

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
THE SENATE

Presented and read a first time

(Health, Housing, Local Government and Community Services)

A BILL

FOR

An Act to amend the *National Health Act 1953*

The Parliament of Australia enacts:

Short title

1.(1) This Act may be cited as the *National Health Amendment Act (No. 2) 1993*.

5 **(2)** In this Act, “**Principal Act**” means the *National Health Act 1953*¹.

Commencement

2. This Act commences on 1 January 1994.

Object of Act

3. The object of this Act is to amend Part VII of the *National Health Act 1953* in order to limit the application of the pharmaceutical benefits safety net under that Part.

Eligibility for concession and entitlement cards

5

4. Section 84C of the Principal Act is amended:

- (a) by omitting from subsection (1AA) “is not less than \$300” and substituting “\$400 or an amount that, together with the amount that the person may be charged under paragraph 87(2)(b), (c) or (e) (whichever is applicable) for the supply of a pharmaceutical benefit, would not be less than \$400”;
- (b) by adding at the end of subsection (1AA) the following Note:
“Note: These amounts of \$400 are periodically adjusted under section 99G.”;
- (c) by omitting subsection (1);
- (d) by adding at the end of subsection (4) the following Note:
“Note: The amounts of \$15.00 and \$2.50 referred to in this subsection are periodically adjusted under section 99G.”.

10

Modification of amounts paid

15

5. Section 84CA of the Principal Act is amended by adding at the end the following Note:

“Note: This amount of \$2.50 is periodically adjusted under section 99G.”.

Limited charges for pharmaceutical benefits

6. Section 87 of the Principal Act is amended:

- (a) by omitting paragraphs (2)(b) and (c) and substituting the following paragraphs:
 - “(b) upon a general benefit prescription if, during the relevant entitlement period in which the supply is made, the person supplied has previously been charged, for supplies of pharmaceutical benefits, an amount that is not less than \$400—charge the person \$2.50; or
 - (c) upon a general benefit prescription if, during the relevant entitlement period in which the supply is made, the person supplied, together with the members of his or her family, has previously been charged, for supplies of pharmaceutical benefits, an amount that is not less than \$400—charge the person \$2.50; or”;
- (b) by adding at the end of subsection (2) the following Note:
“Note: The amounts of \$2.50, \$400 and \$15.00 referred to in this subsection are periodically adjusted under section 99G.”;

25

30

(c) by inserting after subsection (2AA) the following subsection:

“(2AB) In determining, for the purposes of paragraph (2)(b) or (c), an amount that has previously been charged for supplies of pharmaceutical benefits:

- (a) supplies taken, because of subsection 99(2A), to be supplies otherwise than under this Part are taken to be supplies of pharmaceutical benefits; and
- (b) supplies of repatriation pharmaceutical benefits are taken to be supplies of pharmaceutical benefits; and
- (c) any additional amounts charged under subsection (2A) are to be disregarded; and
- (d) the amount that would, apart from paragraph (2)(b) or (c) (as the case requires), be chargeable in respect of the particular supply in question is to be included.”.

Payment for supply of benefits

7. Section 99 of the Principal Act is amended:

(a) by adding at the end of subsection (2A) the following Note:

“Note: These amounts of \$15.00 are periodically adjusted under section 99G.”;

(b) by adding at the end of subsections (2AB) and (2B) the following Note:

“Note: These amounts of \$2.50 are periodically adjusted under section 99G.”.

Definitions

8. Section 99F of the Principal Act is amended:

(a) by omitting the definition of “general patient full safety net”;

(b) by omitting the definition of “general patient restricted safety net” and substituting the following definition:

“**general patient safety net**” means each amount of \$400 referred to in subsection 84C(1AA) or paragraph 87(2)(b) or (c);”.

Indexation

9. Section 99G of the Principal Act is amended:

(a) by omitting from subsection (1) “An amount” and substituting “Subject to subsection (1A), an amount”;

(b) by omitting from the second column of Item 4 of the CPI Indexation Table in subsection (1) “restricted”;

(c) by omitting Item 5 of the CPI Indexation Table in subsection (1);

(d) by inserting after subsection (1) the following subsection:

“(1A) The general patient safety net is not to be indexed in 1994.”;

(e) by adding at the end of subsection (2) the following Note:

“Note: The Department of Health, Housing, Local Government and Community Services can tell you what the current indexed amounts are.”;

(f) by inserting after subsection (3) the following subsection:

“(3A) For the purposes of the definition of “current figure” in subsection (3), the general patient safety net is taken not to have been indexed on or before 1 January 1994.”.

NOTE

1. No. 95, 1953, as amended. For previous amendments, see No. 68, 1955; Nos. 55 and 95, 1956; No. 92, 1957; No. 68, 1958; No. 72, 1959; No. 16, 1961; No. 82, 1962; No. 77, 1963; No. 37, 1964; Nos. 100 and 146, 1965; No. 44, 1966; Nos. 14 and 100, 1967; No. 100, 1968; No. 102, 1969; No. 41, 1970; No. 85, 1971; No. 114, 1972, Nos. 49 and 202, 1973; No. 37, 1974; Nos. 1, 13 and 93, 1975; Nos. 1, 60, 91, 99, 108, 157 and 177, 1976; Nos. 98 and 100, 1977; Nos. 36, 88, 132 and 189, 1978; Nos. 54, 91 and 122, 1979; Nos. 117 and 131, 1980; Nos. 40, 74, 92, 118, 163 and 176, 1981; Nos. 49, 80 and 112, 1982; Nos. 35, 54 and 139, 1983; Nos. 46, 63, 72, 120, 135 and 165, 1984; Nos. 24, 53, 65, 70, 95, 127 and 167, 1985; Nos. 28, 75, 94 and 115, 1986; Nos. 22, 44, 72, 118, 131 and 132, 1987; Nos. 79, 87, 99 and 155, 1988; No. 95, 1989; Nos. 3, 84, 106 and 141, 1990; Nos. 6, 68, 70, 73, 83, 84, 115, 116, 119, 122, 141, 169, 175, 208 and 211, 1991; and Nos. 70, 81, 88, 136, 192, 200, 204 and 230, 1992; and Nos. 28 and 00, 1993.

