

SOUTH AUSTRALIA

**RECOGNIZED HOSPITAL AND INCORPORATED HEALTH CENTRE
(MEDICARE PATIENTS) FEES REGULATIONS, 1987**

**REGULATIONS UNDER THE SOUTH AUSTRALIAN HEALTH COMMISSION
ACT, 1976**

*Recognized Hospital and Incorporated Health Centre (Medicare
Patients) Fees Regulations, 1987*

being

No. 176 of 1987: *Gaz.* 30 July 1987, p. 334¹

as varied by

- No. 287 of 1987: *Gaz.* 23 December 1987, p. 1949²
No. 7 of 1988: *Gaz.* 21 January 1988, p. 130³
No. 47 of 1988: *Gaz.* 31 March 1988, p. 821
No. 12 of 1989: *Gaz.* 26 January 1989, p. 195⁴
No. 112 of 1989: *Gaz.* 29 June 1989, p. 1778⁵
No. 116 of 1990: *Gaz.* 28 June 1990, p. 1742⁶
No. 218 of 1990: *Gaz.* 1 November 1990, p. 1413⁷
No. 220 of 1990: *Gaz.* 1 November 1990, p. 1421⁸
No. 260 of 1990: *Gaz.* 20 December 1990, p. 1903⁹
No. 69 of 1991: *Gaz.* 6 June 1991, p. 1821
No. 80 of 1991: *Gaz.* 20 June 1991, p. 1950¹⁰
No. 195 of 1991: *Gaz.* 19 September 1991, p. 850
No. 216 of 1991: *Gaz.* 10 October 1991, p. 1052¹¹
No. 7 of 1992: *Gaz.* 30 January 1992, p. 278¹²
No. 29 of 1992: *Gaz.* 19 March 1992, p. 889
No. 103 of 1992: *Gaz.* 25 June 1992, p. 1923¹³
No. 186 of 1992: *Gaz.* 17 September 1992, p. 1113¹⁴
No. 6 of 1993: *Gaz.* 28 January 1993, p. 421¹⁵
No. 151 of 1993: *Gaz.* 1 July 1993, p. 271¹⁶
No. 230 of 1993: *Gaz.* 21 October 1993, p. 1802¹⁷
No. 104 of 1994: *Gaz.* 30 June 1994, p. 1946¹⁸
No. 136 of 1994: *Gaz.* 11 August 1994, p. 445¹⁹
No. 190 of 1994: *Gaz.* 10 November 1994, p. 1484²⁰
No. 38 of 1995: *Gaz.* 27 April 1995, p. 1645²¹
No. 126 of 1995: *Gaz.* 22 June 1995, p. 2951²²
No. 1 of 1996: *Gaz.* 4 January 1996, p. 26²³
No. 27 of 1996: *Gaz.* 22 February 1996, p. 1248²⁴
No. 117 of 1996: *Gaz.* 30 May 1996, p. 2727²⁵
No. 159 of 1996: *Gaz.* 27 June 1996, p. 3161²⁶
No. 166 of 1996: *Gaz.* 4 July 1996, p. 42²⁷
No. 182 of 1996: *Gaz.* 8 August 1996, p. 506²⁸
No. 99 of 1997: *Gaz.* 13 May 1997, p. 1905²⁹
No. 163 of 1997: *Gaz.* 26 June 1997, p. 3215³⁰

1	Came into operation 1 August 1987: reg. 2.
2	Came into operation 1 January 1988: reg. 2.
3	Came into operation 1 February 1988: reg. 2.
4	Came into operation 1 March 1989: reg. 2.
5	Came into operation 1 July 1989: reg. 2.
6	Came into operation 1 July 1990: reg. 2.
7	Came into operation 1 November 1990: reg. 2.
8	Came into operation 1 November 1990: reg. 2.
9	Came into operation 1 January 1991: reg. 2.
10	Came into operation 1 July 1991: reg. 2.
11	Came into operation 10 October 1991: reg. 2.
12	Came into operation 1 February 1992: reg. 2.
13	Came into operation 1 July 1992: reg. 2.
14	Came into operation 17 September 1992: reg. 2.
15	Came into operation 1 February 1993: reg. 2.
16	Came into operation 1 July 1993: reg. 2.
17	Came into operation 21 October 1993: reg. 2.
18	Came into operation 1 July 1994: reg. 2.
19	Came into operation 11 August 1994: reg. 2.
20	Came into operation 10 November 1994: reg. 2.
21	Came into operation 27 April 1995: reg. 2.
22	Came into operation 1 July 1995: reg. 2.
23	Came into operation 4 January 1996: reg. 2.
24	Came into operation 22 February 1996: reg. 2.
25	Came into operation 1 July 1996: reg. 2.
26	Came into operation 27 June 1996: reg. 2.
27	Came into operation 4 July 1996: reg. 2.
28	Came into operation 8 August 1996: reg. 2.
29	Came into operation 1 July 1997: reg. 2.
30	Came into operation 1 July 1997: reg. 2.

N.B. The amendments effected to these regulations by Regulation No. 80 of 1999 had not been brought into operation at the date of, and have not been included in, this consolidation.

Note: Asterisks indicate repeal or deletion of text. For further explanation see Appendix.

3.

1. These regulations may be cited as the *Recognized Hospital and Incorporated Health Centre (Medicare Patients) Fees Regulations, 1987*.

2. These regulations will come into operation on 1 August, 1987.

3. The following regulations are revoked:

Recognized Hospital Charges Regulations, 1984 (No. 7 of 1984, see *Gazette*, 19 January, 1984, at p. 154) as varied.

Intellectually Disabled Services Council Inc. (Fees) Regulations, 1986 (No. 230 of 1986, see *Gazette*, 27 November, 1986, at p. 1749).

4. (1) In these regulation, unless the contrary intention appears—

"admitted patient" means a patient of a recognized hospital who has undergone the formal admission process of the hospital:

"benefit entitlement card" means any of the following cards issued by the Commonwealth:

- (a) a health benefits card;
- (b) a health care card;
- (c) a pensioner health benefits card;
- (d) a pharmaceutical benefits concession card:

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"the Commonwealth benefit" in relation to a patient means the aggregate of the following amounts:

- (a) the amount (expressed on a daily basis) payable to an unmarried person as an aged pension under the *Social Security Act 1947* of the Commonwealth excluding the amount of any pharmaceutical supplement payable under that Act;

and

- (b) where—
 - (i) the patient receives rent assistance under that Act—the amount (expressed on a daily basis) received;

or

- (ii) the patient is not entitled to an aged or invalid pension under that Act—the maximum amount (expressed on a daily basis) payable as rent assistance under that Act:

4.

"the Council" means the Intellectual Disability Services Council Inc.:

"long stay patient" means a patient who has been a patient in a recognized hospital for a continuous period exceeding 35 days but excludes—

- (a) a patient in the nursing home section of the Hampstead Centre;
- (b) a private patient who is acutely ill:

"Medicare patient" means a patient who is an eligible person for the purpose of receiving medical benefits under the *Health Insurance Act 1973* of the Commonwealth:

"overnight stay patient" means an admitted patient of a recognized hospital who remains an admitted patient of the hospital until a day subsequent to the day of his or her admission:

"patient" means a person to whom a recognized hospital or incorporated health centre provides medical or diagnostic services or other treatment or care:

"prescription item" means—

- (a) a pharmaceutical or other item supplied on the prescription of a medical practitioner, dentist or other person authorized to prescribe the item;
- or
- (b) an ancillary item required for the administration of such pharmaceutical or other item:

"private" in relation to a patient connotes that the patient receives medical or diagnostic services from a medical practitioner selected by the patient:

"public" in relation to a patient connotes that the patient receives medical or diagnostic services from a medical practitioner selected by the hospital or health centre:

"same day patient" means an admitted patient of a recognized hospital who, on the same day, is both admitted to and leaves the care of the hospital (whether on formal discharge by the hospital or voluntary discharge by the patient).

(2) For the purposes of these regulations a patient will be regarded as being acutely ill during a particular period if a medical practitioner has certified that the patient will require extensive medical treatment and supervision during that period.

(3) A certificate referred to in subregulation (2) remains in force for the period specified in the certificate (not exceeding 30 days) or if no period is specified, for a period of 30 days.

5. (1) The fee to be charged by a recognized hospital or incorporated health centre for a service of a kind set out in the schedule provided to a Medicare patient who is not a compensable patient to whom the *South Australian Health Commission (Recognised Hospital and Incorporated Health Centre—Compensable and Non-Medicare Patients Fees) Regulations 1995* apply is as set out in the schedule.

5.

(2) A person who is—

(a) a resident of a State or Territory of the Commonwealth other than South Australia;

(b) a member of the Armed Forces;

or

(c) a person to whom the *Repatriation Act 1920* of the Commonwealth applies,

may, with the approval of the Minister, be released from liability to pay fees under these regulations.

(3) A recognized hospital or incorporated health centre may remit the whole or part of a fee payable to it under these regulations in order to alleviate financial hardship.

SCHEDULE

Fees for Services Provided to Medicare Patients at Recognized Hospitals

	Fee per day
(a) For the accommodation, maintenance, care and treatment of a public overnight stay patient	no fee
(b) For the accommodation, maintenance and care of a private overnight stay patient	\$213
(c) For the accommodation, maintenance, care and treatment of a public patient who is a same day patient	no fee
(d) For the accommodation, maintenance and care of a private patient who is a same day patient—	
(i) for gastro-intestinal endoscopy or other minor surgical and non-surgical procedures that do not normally require an anaesthetic (Band 1)	\$154
(ii) for procedures (other than Band 1 procedures) carried out under local anaesthetic with no sedation given where the actual time in the theatre is less than one hour (Band 2)	\$176
(iii) for procedures (other than Band 1 procedures) carried out under general or regional anaesthesia or intravenous sedation where the actual time in the theatre is less than one hour (Band 3)	\$194
(iv) for any procedures carried out under general or regional anaesthesia or intravenous sedation where the actual time in the theatre is one hour or more (Band 4)	\$213

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Fees for Services Provided to Long Stay Patients

	Fee per day
(a) For the accommodation, maintenance, care and treatment of a public patient who is acutely ill	No fee
* * * * *	
(c) For the accommodation, maintenance, care and treatment of a public patient who is not acutely ill	87.5 per cent of the Commonwealth benefit
(d) For the accommodation, maintenance and care of a private patient who is not acutely ill	\$71.50 plus 87.5% of the Commonwealth benefit

7.

*Fees for Services Provided to Patients in the
Nursing Home Section of Hampstead Centre*

For accommodation, maintenance, care and treatment 87.5 per cent of the
Commonwealth benefit
per day

*Fees for Services Provided to Patients at
the Julia Farr Centre*

Service	Fee per day
1. For accommodation, maintenance, care and treatment of aged care nursing home patients	87.5 per cent of the Commonwealth benefit
2. For all other accommodation, maintenance, care and treatment (No fee is to be charged for the first 28 days of the patient's stay).	87.5 per cent of the Commonwealth benefit

*Fees for Services Provided by the
Intellectual Disability Services Council Inc*

Service	Fee per day
1. Accommodation, maintenance, care and treatment	87.5, 75 or 20 per cent of the Commonwealth benefit, as determined by the Council, having regard to the extent of dependence on the services of the Council
2. Reservation of accommodation:	
(a) for the first 28 days that accommodation is held in reservation for a particular person	no fee
(b) after that period	20 per cent of the Commonwealth benefit

Fees for Services Provided to Patients at the South Australian Mental Health Service

	Fee per day
For accommodation, maintenance and treatment of a Medicare patient (No fee is to be charged for the first 35 days of the patient's stay).	87.5 per cent of the Commonwealth benefit

8.

Fees for Domiciliary Care Services Provided to Patients

- (a) Where the person to whom the services are provided is entitled to a pension under the *Social Security Act 1947* of the Commonwealth or holds a benefit entitlement card \$3 per hour
- (b) In all other cases \$6 per hour

APPENDIX**LEGISLATIVE HISTORY**

Regulation 1:	varied by 287, 1987, reg. 3; 182, 1996, reg. 3
Regulation 4(1):	definition of "admitted patient" inserted by 182, 1996, reg. 4(a) definition of "benefit entitlement card" substituted by 260, 1990, reg. 3(a); 7, 1992, reg. 3(a); 103, 1992, reg. 3; 103, 1992, reg. 3; paragraph (e) revoked by 182, 1996, reg. 4(b) definition of "the Commonwealth benefit" varied by 220, 1990, reg. 3 definition of "compensable patient" revoked by 182, 1996, reg. 4(c) definition of "the Council" varied by 182, 1996, reg. 4(d) definition of "family" inserted by 69, 1991, reg. 2(a); revoked by 7, 1992, reg. 3(b) definition of "health benefit card" revoked by 260, 1990, reg. 3(b) definition of "health care card" revoked by 260, 1990, reg. 3(b) definition of "inpatient" varied by 287, 1987, reg. 4(a); revoked by 182, 1996, reg. 4(e) definition of "long stay patient" varied by 287, 1987, reg. 4(a); substituted by 80, 1991, reg. 3 definition of "non-medicare patient" revoked by 12, 1989, reg. 3 definition of "non-teaching hospital" varied by 287, 1987, reg. 4(a); revoked by 12, 1989, reg. 3 definition of "outpatient" revoked and definition of "overnight stay patient" inserted in its place by 182, 1996, reg. 4(f) definition of "patient" varied by 287, 1987, reg. 4(b); substituted by 182, 1996, reg. 4(g) definition of "pensioner health benefit card" revoked by 260, 1990, reg. 3(b) definition of "pharmaceutical benefit card" revoked by 260, 1990, reg. 3(b) definition of "prescription item" inserted by 69, 1991, reg. 2(b) definition of "public" varied by 182, 1996, reg. 4(h) definition of "Safety Net Concession Card" inserted by 7, 1992, reg. 3(c); revoked by 182, 1996, reg. 4(i) definition of "Safety Net Entitlement Card" inserted by 7, 1992, reg. 3(c); revoked by 182, 1996, reg. 4(i) definition of "same day patient" varied by 287, 1987, reg. 4(a); substituted by 182, 1996, reg. 4(j) definition of "teaching hospital" revoked by 12, 1989, reg. 3; inserted by 69, 1991, reg. 2(c); revoked by 182, 1996, reg. 4(k)
Regulation 5(1):	varied by 287, 1987, reg. 5(a); substituted by 12, 1989, reg. 4; 182, 1996, reg. 5
Regulation 5(3):	varied by 287, 1987, reg. 5(b)
Schedule:	varied by 287, 1987, reg. 6; 7, 1988, reg. 3; 47, 1988, reg. 2; 12, 1989, reg. 5; 112, 1989, reg. 3; 116, 1990, reg. 3; 218, 1990, reg. 3; 220, 1990, reg. 4; 260, 1990, reg. 4; 69, 1991, reg. 3; 80, 1991, reg. 4; 195, 1991, reg. 2; 216, 1991, reg. 3; 7, 1992, reg. 4; 29, 1992, reg. 2; 103, 1992, reg. 4; 186, 1992, reg. 3; 6, 1993, reg. 3; 151, 1993, reg. 3; 230, 1993, reg. 3; 104, 1994, reg. 3; 136, 1994, reg. 3; 190, 1994, reg. 3; 38, 1995, reg. 3; 126, 1995, reg. 3; 1, 1996, reg. 3; 117, 1996, reg. 3; 159, 1996, reg. 3; 166, 1996, reg. 3; 182, 1996, reg. 6; 99, 1997, reg. 3; 163, 1997, reg. 3