



Queensland

*Health Services Act 1991*

# Health Services Regulation 2002

Reprinted as in force on 9 December 2011

Reprint No. 6H

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Queensland

# Health Services Regulation 2002

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# Health Services Regulation 2002

[as amended by all amendments that commenced on or before 9 December 2011]

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Health Services Regulation 2002*.

### 2 Definitions

The dictionary in schedule 3 defines particular words used in this regulation.

### 3 Meaning of *residential care facility*

- (1) A *residential care facility* is a nursing home, hostel or other facility operated by the State at which accommodation, and nursing or personal care, is provided to persons who, because of disability, disease, illness, incapacity or infirmity, have a continuing need for nursing or personal care.
- (2) However, a residential care facility does not include a public sector hospital.

### 4 Meaning of *day* for calculating daily fees

- (1) For calculating the number of days for which, or after which, a daily fee is payable by a person under part 2, division 1, part 3 or part 4, *day* means—
  - (a) the day on which the person is admitted to a relevant facility; or

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- (b) the day on which the person returns to a relevant facility from leave; or
  - (c) each full day the person is accommodated in a relevant facility.
- (2) However, **day** does not include—
- (a) the day on which the person goes on leave from a relevant facility; and
  - (b) for a person who is not a same day patient—the day on which the person is discharged from a relevant facility.
- (3) For subsection (1)(c), a person is accommodated in a relevant facility for a full day even if the person is absent, otherwise than on leave, from the relevant facility for any part of the day.
- (4) In this section—
- full day** means the 24 hour period between midnight on one day and midnight on the next day.

## 5 Meaning of *leave*

- (1) **Leave**, in relation to a person in a relevant facility, means a temporary absence—
- (a) that is approved by, and does not involve the person's discharge from, the relevant facility; and
  - (b) from which the person does not return to the relevant facility until at least the day after the absence begins.
- (2) However, for a resident occupying a hostel place in a residential care facility, a temporary absence is not leave.

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## Part 2 Public sector hospital fees

### Division 1 Accommodation fees

#### 6 Accommodation fees—public sector hospital

- (1) The fees payable by particular patients for patient accommodation in a public sector hospital are stated in schedule 1, part 1.
- (2) An eligible person, other than a third party patient or a workers' compensation patient, who is accommodated in a standard ward, or treated, in a public sector hospital as a public patient is not liable to pay a fee for the accommodation or treatment.

#### 7 Accommodation fees—nursing home type patient

- (1) This section states the fees payable by a nursing home type patient for each day of residence in a public sector hospital.
- (2) The fee payable by a patient who is 16 years or more but under 18 years is the amount worked out using the formula—

$$87.5\% \times \frac{(\text{U18 DSPA} + \text{U18 RAA})}{\text{NDY}}$$

- (3) The fee payable by a patient who is 18 years or more but under 21 years is the amount worked out using the formula—

$$87.5\% \times \frac{(\text{U21 DSPA} + \text{U21 RAA})}{\text{NDY}}$$

- (4) The fee payable by a patient who is 21 years or more is the amount worked out using the formula—

$$87.5\% \times \frac{(\text{BAPA} + \text{RAA})}{\text{NDY}}$$

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- (5) If the patient is a private patient, the patient must, in addition to the amount worked out under subsections (2) to (4), pay \$102.00 for each day.
- (6) However, the chief executive may waive, entirely or partly, payment of a fee mentioned in subsections (2) to (5) if the chief executive is satisfied payment of the fee would cause the patient financial hardship.

## **Division 2                      Fees for services other than    accommodation**

### **8                      Pharmaceuticals**

- (1) This section applies to the supply of pharmaceuticals at a public sector hospital to an eligible person who—
  - (a) is not an in-patient of the hospital; or
  - (b) if the pharmaceuticals are for the person's use after the person is discharged from the hospital—is an in-patient of the hospital.
- (2) The maximum amount payable for each item of pharmaceuticals supplied to a person who holds a commonwealth concession card, or a dependant of the person, is \$5.60.
- (3) The maximum amount payable for each item of pharmaceuticals supplied to another person is—
  - (a) if a maximum patient payment for the item is stated in the 'Queensland hospitals non-inpatient dispensed drug price catalogue'—the maximum patient payment amount or \$34.20, whichever is the lesser; or

*Editor's note—*

The 'Queensland hospitals non-inpatient dispensed drug price catalogue' is available for inspection at public sector hospital pharmacies.

- (b) otherwise—\$34.20.

- 
- (4) Despite subsections (2) and (3), each of the following persons is not liable to pay an amount for pharmaceuticals supplied to the person—
- (a) a person who holds a safety net entitlement card issued under the *National Health Act 1953* (Cwlth), part VII, division 1A;
  - (b) a dependant of a person mentioned in paragraph (a);
  - (c) a child under the custody or guardianship of the chief executive of the department that administers the *Child Protection Act 1999*.
- (5) Also, the maximum amount payable under this section for pharmaceuticals supplied to a person on a single visit to the hospital is 4 times the maximum amount payable by the person for 1 item of pharmaceuticals under subsection (2) or (3).

## **9 Outpatient services fees**

The fees payable by particular patients for outpatient services at a public sector hospital are stated in schedule 1, part 2.

## **10 Fees for other services**

The fees payable by particular patients for other services at a public sector hospital are stated in schedule 1, part 3.

# **Part 3 Residential care facility fees**

## **11 Particular residents of residential care facility**

- (1) This section states the fees payable by a resident of a residential care facility for each day of residence other than—

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- (a) a resident occupying a place allocated by the Commonwealth to the State under the *Aged Care Act 1997* (Cwlth), section 14-1; or
  - (b) a resident occupying a hostel place.
- (2) The fee payable by a resident who is 16 years or more but under 18 years is the amount worked out using the formula—

$$87.5\% \times \frac{(\text{U18 DSPA} + \text{U18 RAA})}{\text{NDY}}$$

- (3) The fee payable by a resident who is 18 years or more but under 21 years is the amount worked out using the formula—

$$87.5\% \times \frac{(\text{U21 DSPA} + \text{U21 RAA})}{\text{NDY}}$$

- (4) The fee payable by a resident who is 21 years or more is the amount worked out using the formula—

$$87.5\% \times \frac{(\text{BAPA} + \text{RAA})}{\text{NDY}}$$

## **12 Occupiers of places under Aged Care Act 1997 (Cwlth)**

- (1) This section applies to a resident of a residential care facility occupying a place allocated by the Commonwealth to the State under the *Aged Care Act 1997* (Cwlth), section 14-1.
- (2) The fee payable by the resident for each day of residence in the residential care facility is the maximum daily amount of resident fees for the resident worked out under the *Aged Care Act 1997* (Cwlth), section 58-2.

## **13 Occupiers of hostel places**

- (1) This section applies to a resident of a residential care facility occupying a hostel place.
- (2) The fee payable by the resident for each day the resident occupies the place is the amount worked out using the

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formula—

$$66.67\% \times \frac{(\text{BAPA} + \text{RAA})}{\text{NDY}}$$

#### **14 Waiver of fee**

The chief executive may waive, entirely or partly, payment of a fee mentioned in this part if the chief executive is satisfied payment of the fee would cause the resident financial hardship.

## **Part 4 Extended treatment facility and psychogeriatric unit fees**

### **Division 1 General**

#### **15 Application of particular sections**

Subject to section 21, sections 6, 7 and 11 do not apply to patients in extended treatment facilities.

#### **16 Patient with acute care certificate**

The fees mentioned in this part are not payable by a patient in an extended treatment facility who holds an acute care certificate.

#### **17 Fees not payable for first 35 days**

- (1) The fees mentioned in this part are not payable by a patient for the first 35 days the patient is in an extended treatment facility.

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- (2) Subsection (1) does not apply if the patient has been a resident of a residential care facility immediately before becoming a patient.

### **18 Fees not payable for last 30 days**

- (1) The fees mentioned in this part are not payable by a patient for the last 30 days the patient is in an extended treatment facility.
- (2) Subsection (1) does not apply if the patient is transferred from the extended treatment facility to a public sector hospital or a residential care facility.

### **19 Waiver of fee**

The chief executive may waive, entirely or partly, payment of a fee mentioned in this part if the chief executive is satisfied payment of the fee would cause the patient financial hardship.

## **Division 2 Extended treatment facility fees**

### **20 Extended treatment facility fees other than psychogeriatric unit**

- (1) This section states the fee payable for each day by a patient in an extended treatment facility, other than a patient in a psychogeriatric unit.
- (2) The fee payable by a patient who is 16 years or more but under 18 years is the amount worked out using the formula—

$$66.67\% \times \frac{(\text{U18 DSPA} + \text{U18 RAA})}{\text{NDY}}$$

- (3) The fee payable by a patient who is 18 years or more but under 21 years is the amount worked out using the formula—

$$66.67\% \times \frac{(\text{U21 DSPA} + \text{U21 RAA})}{\text{NDY}}$$

- (4) The fee payable by a patient who is 21 years or more is the amount worked out using the formula—

$$66.67\% \times \frac{(\text{BAPA} + \text{RAA})}{\text{NDY}}$$

### **Division 3                      Psychogeriatric unit fees**

#### **21            Psychogeriatric unit fees**

The fee payable for each day by a patient in a psychogeriatric unit is the fee that would be payable under section 11 if the patient were a resident of a residential care facility.

## **Part 6                              Quality assurance committees**

### **Division 1                      Preliminary**

#### **23            Definitions for pt 6**

In this part—

*committee* means a committee declared to be an approved quality assurance committee under section 31 of the Act.

*member* means a member of a committee.

*privacy policy* see section 31.

## **Division 2                      Procedures of committees**

### **24            Election of chairperson**

- (1) This section applies if the entity that established a committee has not appointed a member to be the chairperson of the committee.
- (2) The committee must elect a member to be the chairperson of the committee.

### **25            Times and places of meetings**

- (1) Committee meetings are to be held at the times and places the chairperson decides.
- (2) However, the chairperson must call a meeting if asked, in writing, to do so by at least the number of members forming a quorum for the committee.
- (3) Also, a committee must hold its first meeting at a time and place decided by the entity that established the committee.

### **26            Quorum**

A quorum for a committee is the number equal to one-half of the number of its members or, if one-half is not a whole number, the next highest whole number.

### **27            Presiding at meetings**

- (1) The chairperson is to preside at all meetings of a committee at which the chairperson is present.
- (2) If the chairperson is absent from a meeting or the office of chairperson is vacant, a member chosen by the members present is to preside.

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**28 Conduct of meetings**

- (1) A question at a committee meeting is decided by a majority of the votes of the members present.
- (2) Each member present at the meeting has a vote on each question to be decided and, if the votes are equal, the member presiding also has a casting vote.

**29 Minutes**

- (1) A committee must keep the minutes of a meeting of the committee for 10 years after the meeting.
- (2) Subsection (1) does not apply to the extent that the minutes are a public record under the *Public Records Act 2002*.

**30 Other procedures**

Subject to this division—

- (a) a committee must conduct its business, including its meetings, under the procedures, if any, decided for the committee by the entity that established the committee;  
or
- (b) otherwise, the committee may conduct its business, including its meetings, under procedures decided by the committee.

**Division 3 Privacy policies**

**31 A committee must adopt a privacy policy**

A committee must adopt, by resolution, a written privacy policy (a *privacy policy*).

[s 32]

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### **32 Contents of a privacy policy**

- (1) A committee's privacy policy must state the ways the committee, or a member of the committee, may do any of the following—
  - (a) acquire and compile relevant information;
  - (b) securely store relevant information;
  - (c) disclose relevant information;
  - (d) ask an individual for consent to disclose the individual's identity under section 32(2) of the Act.
- (2) The privacy policy also must state the circumstances under which a record containing relevant information may be copied or destroyed.
- (3) In this section—

*relevant information* means information acquired or compiled by the committee in the exercise of its functions.

## **Division 4 Information to be made available by committees**

### **33 Specified information to be made available to the public**

- (1) A committee must make available to the public the following information (the *specified information*)—
  - (a) a statement of the committee's functions;
  - (b) for each committee member—
    - (i) the member's full name and qualifications; and
    - (ii) the member's office or position; and
    - (iii) a summary of the member's experience that is relevant to the committee's functions;
  - (c) a summary of the outcomes of the exercise of the committee's functions in the period since—

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- (i) for the first time a committee makes the specified information available to the public—the Minister declared the committee to be an approved quality assurance committee; or
  - (ii) otherwise—the committee last made the specified information available;
  - (d) a summary of the committee’s privacy policy.
- (2) The specified information must be made available—
- (a) for the first time a committee makes the specified information available to the public—within 3 years after the Minister declared the committee to be an approved quality assurance committee; or
  - (b) otherwise—within 3 years after the committee last made the specified information available.
- (3) The committee must give the specified information to the entity that established the committee before the committee makes it available to the public.
- (4) A committee may make the specified information available in a form the committee considers appropriate.

*Example of an appropriate form for the specified information—*

The specified information may be included in the annual report of the entity that established the committee.

### **33A Specified information to be given to the chief executive**

A committee must, as soon as practicable after an individual becomes, or ceases to be, a member of the committee, give the chief executive a written notice containing the following information—

- (a) when an individual becomes a member—
  - (i) the individual’s full name and qualifications; and
  - (ii) the individual’s office or position; and
  - (iii) a summary of the individual’s experience that is relevant to the committee’s functions; and

[s 33B]

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- (iv) the date the individual became a member;
- (b) when an individual ceases to be a member—
  - (i) the individual's full name; and
  - (ii) the date the individual ceased to be a member.

## Part 6A                      Root cause analyses

### 33B    Reportable events—Act, s 38G

- (1) For section 38G of the Act, definition *reportable event*, the following events are prescribed—
  - (a) the death of a person, or an injury suffered by a person, while giving birth;
  - (b) the death of a person caused by the incorrect management of the person's medication;
  - (c) the death of a person, or neurological damage suffered by a person, caused by an intravascular gas embolism;
  - (d) the wrong procedure being performed on a person, or a procedure being performed on the wrong part of a person's body, resulting in the death of the person or an injury being suffered by the person;
  - (e) the retention of an instrument, or other material, in a person's body during surgery that requires further surgery to remedy the retention;
  - (f) the death of a person, or an injury suffered by a person, caused by a haemolytic blood transfusion reaction resulting from the wrong blood type being used for the person during a blood transfusion;
  - (g) the suspected suicide of a person receiving inpatient health care;

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- (h) the suspected suicide of a person who is undertaking mental health treatment or rehabilitation while residing in the community;
  - (i) any other death of a person, or an injury suffered by a person, that was not reasonably expected to be an outcome of the health service provided to the person.
- (2) For subsection (1), a reference to an injury is a reference to an injury that is likely to be permanent.

**33C Patient safety entities—Act, s 38X(6)**

- (1) For section 38X(6) of the Act, definition *prescribed patient safety entity*, each of the following is a patient safety entity—
- (a) for a public sector health service facility—Queensland Health Patient Safety Centre;
  - (b) for a public sector health service facility located within the health service area known as the northern health service area—the director or deputy director of the clinical governance unit for the northern health service area;
  - (c) for a public sector health service facility located within the health service area known as the central health service area—the director or deputy director of the clinical governance unit for the central health service area;
  - (d) for a public sector health service facility located within the health service area known as the southern health service area—the director or deputy director of the clinical governance unit for the southern health service area.
- (2) In this section—
- deputy director***, of a clinical governance unit, means—
- (a) for the clinical governance unit for the northern health service area—the person occupying the position in the unit with the title ‘manager quality safety and clinical

[s 33D]

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networks' or, if from time to time the title is changed, the changed title; or

- (b) for the clinical governance unit for the central or southern health service area—the person occupying the position in the unit with the title 'assistant director of clinical governance' or, if from time to time the title is changed, the changed title.

*director*, of a clinical governance unit, means—

- (a) for the clinical governance unit for the northern health service area—the person occupying the position in the unit with the title 'director clinical support unit directorate' or, if from time to time the title is changed, the changed title; or
- (b) for the clinical governance unit for the central or southern health service area—the person occupying the position in the unit with the title 'director of clinical governance' or, if from time to time the title is changed, the changed title.

### **33D Authorised purposes for Queensland Health Patient Safety Centre—Act, s 38X(6)**

For section 38X(6) of the Act, definition *authorised purpose*, each of the following is an authorised purpose for the Queensland Health Patient Safety Centre—

- (a) developing, reviewing and improving policies and standards relating to the conduct of root cause analyses;
- (b) developing and implementing training programs in—
  - (i) the conduct of root cause analyses; or
  - (ii) the preparation of RCA reports; or
  - (iii) the preparation of chain of events documents;
- (c) issuing State-wide patient safety alerts, advisories and other relevant information to support patient safety initiatives;

- (d) using information contained in RCA reports and chain of events documents for the purpose of monitoring and evaluating patient safety initiatives and programs;
- (e) reporting on the conduct of root cause analyses and the corrective actions arising from any recommendations contained in RCA reports;
- (f) undertaking research on the conduct of root cause analyses.

**33E Authorised purposes for director or deputy director of clinical governance unit for the northern, central or southern health service area—Act, s 38X(6)**

For section 38X(6) of the Act, definition *authorised purpose*, each of the following is an authorised purpose for the director or deputy director of the clinical governance unit for the northern, central or southern health service area—

- (a) contributing to the development, review and improvement of policies and standards relating to the conduct of root cause analyses;
- (b) monitoring and reporting on the implementation of corrective actions arising from any recommendations contained in RCA reports;
- (c) using information contained in RCA reports and chain of events documents to develop and implement patient safety initiatives.

## **Part 7 Miscellaneous**

**34 Additional payment if GST applies**

- (1) This section applies if GST is payable in relation to a supply under this regulation.

[s 34AA]

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- (2) A person liable to pay a fee under this regulation for the supply must, in addition to the fee and at the same time as the fee is paid, pay an amount equal to 10% of the fee.

**34AA Declared public sector health services—Act, s 2, definition *public sector health service***

A health screening service conducted by the department or a person engaged by the department at a place is declared to be a public sector health service.

*Examples of a place—*

an airport or port, a community hall, a school

**34A Administrative units—Act, s 24(1)**

Each of the following is an administrative unit of the department prescribed for section 24(1) of the Act—

- (a) any health service district;
- (b) centre for healthcare improvement;
- (c) clinical and statewide services division;
- (d) division of the chief health officer;
- (e) finance, procurement and legal services division;
- (f) health planning and infrastructure division;
- (g) human resource services division;
- (h) information division;
- (i) office of the director-general;
- (j) performance and accountability division;
- (k) policy, strategy and resourcing division;
- (l) Queensland health shared service provider.

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**34B Criteria for prescribed public hospitals—Act, s 38A**

(1) For section 38A, definition *prescribed public hospital*, of the Act, the criterion is having provided acute care to relevant patients on more than 2000 occasions during the previous financial year.

(2) In this section—

*acute care* means care of which the principal clinical intent or treatment goal is one or more of the following—

- (a) curing illness or providing definitive treatment of an injury;
- (b) managing labour or perinatal care;
- (c) protecting against exacerbation or complication of an illness or injury that could threaten life or normal function;
- (d) performing diagnostic or therapeutic procedures.

*relevant patient* means a patient who has been admitted to a public sector hospital.

**34BA Prescribed designated person for confidentiality—Act, s 60**

(1) For section 60, definition *designated person*, paragraph (j) of the Act, a person who is a member of a health community council is prescribed to be a designated person.

(2) In this section—

*health community council* means a health community council established under section 28L of the Act.

**34C Disclosure for purposes relating to health services—Act, s 62H(b)**

(1) For section 62H(b) of the Act, the following are prescribed entities for evaluating, managing, monitoring or planning health services—

[s 34C]

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- (a) the University of Queensland for collecting data about a relevant trauma patient for use in the Queensland Trauma Registry;
- (b) for reviewing patterns of health services delivery and projecting the future demand for, and supply of, health services—
  - (i) Hardes and Associates Pty Ltd ACN 079 150 940; and
  - (ii) Carramar Consulting Pty Ltd ACN 116 505 134; and
  - (iii) Deloitte Touche Tohmatsu ABN 74 490 121 060; and
  - (iv) Ernst & Young ABN 75 288 172 749; and
  - (v) Healthcare Management Advisors Pty Ltd ACN 081 895 507; and
  - (vi) Health Policy Analysis Pty Ltd ACN 105 830 920; and
  - (vii) JTA International Pty Ltd ACN 091 591 294; and
  - (viii) KPMG ABN 51 194 660 183; and
  - (ix) PricewaterhouseCoopers ABN 52 780 433 757;
- (c) Medicare Australia for maintaining the Australian Childhood Immunisation Register;
- (d) the Office of Economic and Statistical Research for collecting and evaluating data about a person who receives treatment in a public sector hospital for the purpose of the department's patient satisfaction surveys.

*Editor's note—*

The Office of Economic and Statistical Research is a portfolio office of Queensland Treasury.

- (2) In this section—

***relevant trauma patient*** means a person who attends a public sector hospital for treatment of a physical injury and—

- 
- (a) is admitted for 24 hours or more; or
  - (b) dies within 24 hours of receiving treatment in the hospital's emergency department; or
  - (c) dies within 24 hours of being admitted.

**35 Prescribed agreements—Act, s 62N(1)**

- (1) Each agreement stated in schedule 2, part 1, is prescribed for section 62N(1)(a) of the Act.
- (2) Each agreement stated in schedule 2, part 2, is prescribed for section 62N(1)(b) of the Act.

## **Part 8 Transitional and repeal provisions**

**36 Definitions for pt 8**

In this part—

*commencement day* means the day this part commences.

*repealed regulation* means the *Health Services Regulation 1992*.

**37 Fees for particular patients in psychogeriatric units**

- (1) This section applies to a person who—
  - (a) immediately before 7 April 2000—
    - (i) was a patient in a facility that, on 7 April 2000, was a psychogeriatric unit under the repealed regulation; and
    - (ii) was paying an amount under the *Mental Health Regulation 1985*, section 63(1); and

[s 38]

---

- (b) from 7 April 2000 to the commencement day has been a patient in a psychogeriatric unit.
- (2) The fees payable by the patient while the patient remains a patient in the unit are the fees that would be payable under part 4 if the patient were a patient in an extended treatment facility other than a psychogeriatric unit.

### **38 Continuing effect of waiver**

- (1) This section applies if the chief executive has, under section 4A(6), 8D or 9D of the repealed regulation, entirely or partly waived payment of a fee by a person.
- (2) The waiver continues to apply to the person as if the fee were waived under section 7(6), 14 or 19 of this regulation.

### **39 Repeal**

The following regulations are repealed—

- Health Services Regulation 1992 (1992 SL No. 211)
- Health Services (Public Hospitals) Fees and Charges Amendment Regulation (No. 1) 1992 (1992 SL No. 339)
- Health Services (Public Hospitals) Fees and Charges Amendment Regulation (No. 2) 1992 (1992 SL No. 453)
- Health Services (Public Hospitals Fees and Charges) Amendment Regulation (No. 1) 1993 (1993 SL No. 286)
- Health Services (Public Hospitals Fees and Charges) Amendment Regulation (No. 2) 1993 (1993 SL No. 358)
- Health Legislation Amendment Regulation (No. 1) 1994 (1994 SL No. 213).

## Schedule 1 Fees

sections 6, 9 and 10

### Part 1 Accommodation fees

	\$
1 Eligible person who is a private patient and a same day patient . . . . .	233.50
2 Eligible person who is a private patient treated in a hospital as a day only procedure patient and whose treatment is—	
(a) a band 1 procedure. . . . .	233.50
(b) a band 2 procedure. . . . .	261.00
(c) a band 3 procedure. . . . .	287.00
(d) a band 4 procedure. . . . .	320.00
3 Eligible person, who is a private patient and not a same day patient, accommodated in—	
(a) a single room—for each day . . . . .	640.00
(b) a shared room—for each day. . . . .	320.00
4 Third party patient, other than a public Queensland workers' compensation patient, accommodated in—	
(a) an intensive care unit—for each day . . . . .	4 100.50
(b) a coronary care unit—for each day . . . . .	2 582.00
5 Third party patient, other than a public Queensland workers' compensation patient, receiving—	
(a) rehabilitation care—for each day. . . . .	662.50
(b) maintenance care—for each day . . . . .	505.00
6 Third party patient who is—	
(a) a private patient; and	
(b) not a same day patient; and	
(c) accommodated in a part of a hospital other than an intensive care or coronary care unit; and	
(d) receiving care other than rehabilitation care or maintenance care—for each day . . . . .	1 100.00

Schedule 1

	\$
7 Third party patient who is—	
(a) a public patient; and	
(b) not a Queensland workers' compensation patient; and	
(c) not a same day patient; and	
(d) accommodated in a part of a hospital other than an intensive care or coronary care unit; and	
(e) receiving care other than rehabilitation care or maintenance care—for each day . . . . .	1 276.50
8 Third party patient who is—	
(a) a private patient; and	
(b) a same day patient; and	
(c) accommodated in a part of a hospital other than an intensive care or coronary care unit; and	
(d) receiving care other than rehabilitation care or maintenance care—for each day . . . . .	761.00
9 Third party patient who is—	
(a) a public patient; and	
(b) not a Queensland workers' compensation patient; and	
(c) a same day patient; and	
(d) accommodated in a part of a hospital other than an intensive care or coronary care unit; and	
(e) receiving care other than rehabilitation care or maintenance care—for each day . . . . .	1 079.00
10 Ineligible person accommodated in—	
(a) an intensive care unit—for each day . . . . .	4 100.50
(b) a coronary care unit—for each day . . . . .	2 582.00
11 Ineligible person receiving—	
(a) rehabilitation care—for each day . . . . .	662.50
(b) maintenance care—for each day . . . . .	505.00
12 Ineligible person who is—	
(a) a private patient; and	
(b) not a same day patient; and	

		\$
	(c) accommodated in a part of a hospital other than an intensive care or coronary care unit; and	
	(d) receiving care other than rehabilitation care or maintenance care—for each day . . . . .	1 100.00
13	Ineligible person who is—	
	(a) a public patient; and	
	(b) not a same day patient; and	
	(c) accommodated in a part of a hospital other than an intensive care or coronary care unit; and	
	(d) receiving care other than rehabilitation care or maintenance care—for each day . . . . .	1 276.50
14	Ineligible person who is—	
	(a) a private patient; and	
	(b) a same day patient; and	
	(c) accommodated in a part of a hospital other than an intensive care or coronary care unit; and	
	(d) receiving care other than rehabilitation care or maintenance care—for each day . . . . .	761.00
15	Ineligible person who is—	
	(a) a public patient; and	
	(b) a same day patient; and	
	(c) accommodated in a part of a hospital other than an intensive care or coronary care unit; and	
	(d) receiving care other than rehabilitation care or maintenance care—for each day . . . . .	1 079.00

## Part 2 Outpatient services fees

	\$
16 Third party patient who is a public patient, other than a Queensland workers' compensation patient—	
(a) for each accident and emergency service as—	
(i) a triage category 1 patient . . . . .	872.00
(ii) a triage category 2 patient . . . . .	817.00
(iii) a triage category 3 patient . . . . .	583.00
(iv) a triage category 4 patient . . . . .	274.00
(v) a triage category 5 patient . . . . .	215.50
(b) for each diagnostic imaging service . . . . .	MBS fee
(c) for each pathology service . . . . .	MBS fee
(d) for each scheduled service . . . . .	291.00
17 Ineligible person—	
(a) for each accident and emergency service as—	
(i) a triage category 1 patient . . . . .	872.00
(ii) a triage category 2 patient . . . . .	817.00
(iii) a triage category 3 patient . . . . .	583.00
(iv) a triage category 4 patient . . . . .	274.00
(v) a triage category 5 patient . . . . .	215.50
(b) for each diagnostic imaging service . . . . .	MBS fee
(c) for each pathology service . . . . .	83.50
(d) for each scheduled service . . . . .	291.00

## Part 3 Other services

	\$
18 Third party patient, other than a public Queensland workers' compensation patient, treated in an operating theatre—	

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	\$
(a) if the treatment involves undergoing procedures that take longer than 1 hour carried out under general or regional anaesthetic or intravenous sedation—for each treatment . . . . .	2 015.00
(b) if the treatment involves undergoing procedures, other than the procedures mentioned in paragraph (a)—for each treatment . . . . .	801.00
19 Ineligible person treated in an operating theatre—	
(a) if the treatment involves undergoing procedures that take longer than 1 hour carried out under general or regional anaesthetic or intravenous sedation—for each treatment . . . . .	2 015.00
(b) if the treatment involves undergoing procedures, other than the procedures mentioned in paragraph (a)—for each treatment . . . . .	801.00

## **Schedule 2      Agreements**

section 35

### **Part 1                      Agreements with Commonwealth, State or entity**

- 1 Public Health Outcome Funding Agreement 1999/00–2003/04 between the Commonwealth of Australia and the State of Queensland made 1 February 2000.
- 2 Agreement between the State of Queensland and the Australian Institute of Health and Welfare for the giving of certain health information by the State to the Institute dated 4 May 1999.
- 3 The agreement dated 28 August 1998 between the Commonwealth and the State entered into under the *Health Care (Appropriation) Act 1998* (Cwlth).
- 4 Agreement between the State of Queensland and the Commonwealth of Australia for exchanging and linking certain medical record data, made 21 August 2000.
- 5 Hospital Services Arrangement between the Commonwealth of Australia and the Repatriation Commission and the Military Rehabilitation and Compensation Commission and the State of Queensland for the treatment and care in Queensland Public Hospitals of persons eligible for treatment under the *Veterans' Entitlements Act 1986* (Cwlth) and the *Military Rehabilitation and Compensation Act 2004* (Cwlth), made on 28 February 2006.
- 6 Agreement between Queensland and New South Wales for the funding of admitted and non-admitted patient services provided to residents of New South Wales by Queensland and vice versa, for the period 1 July 2003 to 30 June 2008.
- 7 Agreement between Queensland and the Australian Capital Territory for the funding of admitted patient services provided

- to residents of Queensland by the Australian Capital Territory and vice versa, for the period 1 July 2003 to 30 June 2008.
- 8 Agreement between Queensland and the Northern Territory for the funding of admitted patient services provided to residents of Queensland by the Northern Territory and vice versa, for the period 1 July 2003 to 30 June 2008.
  - 9 Agreement between Queensland and South Australia for the funding of admitted patient services provided to residents of Queensland by South Australia and vice versa, for the period 1 July 2003 to 30 June 2008.
  - 10 Agreement between Queensland and Tasmania for the funding of admitted patient services provided to residents of Queensland by Tasmania and vice versa, for the period 1 July 2003 to 30 June 2008.
  - 11 Agreement between Queensland and Victoria for the funding of admitted patient services provided to residents of Queensland by Victoria and vice versa, for the period 1 July 2003 to 30 June 2008.
  - 12 Agreement between Queensland and Western Australia for the funding of admitted patient services provided to residents of Queensland by Western Australia and vice versa, for the period 1 July 2003 to 30 June 2008.
  - 13 The agreement dated 31 August 2003 between the Commonwealth and the State entered into under the *Health Care (Appropriation) Act 1998* (Cwlth).
  - 14 National Health Information Agreement between the Health Authorities of the States and Territories of Australia, the Health Insurance Commission, the Australian Institute of Health and Welfare and the Commonwealth of Australia (2004 to 2009).
  - 15 Intergovernmental Agreement on Federal Financial Relations, the schedules and any agreements under the schedules, as amended from time to time, between the Commonwealth of Australia and the States and Territories of Australia, commenced 1 January 2009.
- 15A Agreement between Queensland and the Australian Capital Territory for the funding of admitted patient services provided

to residents of Queensland by the Australian Capital Territory and vice versa, made 1 July 2009.

- 15B Agreement between Queensland and the Northern Territory for the funding of admitted patient services provided to residents of Queensland by the Northern Territory and vice versa, made 1 July 2009.
- 15C Agreement between Queensland and South Australia for the funding of admitted patient services provided to residents of Queensland by South Australia and vice versa, made 1 July 2009.
- 15D Agreement between Queensland and Tasmania for the funding of admitted patient services provided to residents of Queensland by Tasmania and vice versa, made 1 July 2009.
- 15E Agreement between Queensland and Victoria for the funding of admitted and non-admitted patient services provided to residents of Queensland by Victoria and vice versa, made 1 July 2009.
- 15F Agreement between Queensland and Western Australia for the funding of admitted patient services provided to residents of Queensland by Western Australia and vice versa, made 1 July 2009.

## **Part 2                      Agreements with State entity**

- 16 The agreement dated 3 April 2006 called, 'Memorandum of Understanding between the State of Queensland through Queensland Health and the State of Queensland through the Queensland Police Service, Mental Health Collaboration 2005'.
- 17 The agreement dated 13 June 2008 called 'Memorandum of Understanding between the State of Queensland through Queensland Health and the State of Queensland through Queensland Corrective Services in relation to offender health services'.

- 18 The agreement dated 21 June 2010 called, 'Memorandum of Understanding between the State of Queensland through Queensland Health and the State of Queensland through Queensland Government Insurance Fund, Queensland Treasury, in relation to reciprocal information sharing'.
- 19 The agreement dated 3 November 2010 called 'Memorandum of Understanding between the State of Queensland through Queensland Health and the State of Queensland through the Queensland Police Service, Information Exchange'.
- 20 The agreement dated 26 July 2010 called, 'Memorandum of Understanding between the State of Queensland acting through Queensland Health and the State of Queensland acting through the Department of Community Safety (Queensland Ambulance Service)'.

## Schedule 3 Dictionary

### section 2

***accident and emergency service*** does not include a health service provided to a same day patient.

***accommodated***, in a relevant facility, includes being a patient in, occupying a hostel place at, or being a resident in, the relevant facility.

***acute care certificate*** means a certificate given by a medical practitioner under the *Health Insurance Act 1973* (Cwlth), section 3B.

***band 1 procedure*** means a gastrointestinal endoscopy procedure, a non-surgical procedure that does not usually require an anaesthetic, a diagnostic procedure or a minor surgical procedure.

***band 2 procedure*** means a procedure, other than a band 1 procedure, that is carried out under local anaesthetic and no sedation.

***band 3 procedure*** means a procedure, other than a band 1 procedure, that takes less than 1 hour and is carried out under general or regional anaesthetic.

***band 4 procedure*** means a procedure, other than a band 1 procedure, that takes 1 hour or more and is carried out under general or regional anaesthetic.

***BAPA*** means basic age pension amount.

***basic age pension amount*** means the annual maximum basic rate under the *Social Security Act 1991* (Cwlth), section 1064-B1 applying to a person who is not a member of a couple.

***commonwealth concession card*** means—

- (a) a safety net concession card issued under the *National Health Act 1953* (Cwlth), part VII, division 1A; or

- (b) any of the following cards issued by the Commonwealth department in which the *Social Security Act 1991* (Cwlth) or the *Veterans' Entitlements Act 1986* (Cwlth) is administered—
- (i) a repatriation health card for specific conditions;
  - (ii) a repatriation health card for all conditions;
  - (iii) a repatriation pharmaceutical benefits card;
  - (iv) a health care card;
  - (v) a pensioner concession card;
  - (vi) a Commonwealth seniors health card.

**compensation or damages**, in relation to a third party patient, includes payment in settlement of a claim for compensation or damages, but does not include—

- (a) compensation under—
  - (i) the *Criminal Offence Victims Act 1995*, part 3; or
  - (ii) the *Youth Justice Act 1992*, section 235; or
  - (iii) the *Penalties and Sentences Act 1992*, section 35; or
- (b) an amount under—
  - (i) a policy of insurance, under the *Motor Accident Insurance Act 1994*, for which the insurance premium consists of the matters mentioned in section 12(1) of that Act; or
  - (ii) the Nominal Defendant scheme under that Act; or
- (c) financial assistance under the *Victims of Crime Assistance Act 2009*, chapter 3.

**daily fee** means a fee payable according to the number of days a person is accommodated in a relevant facility.

**day**, for calculating the number of days for which, or after which, a daily fee is payable under part 2, division 1, part 3 or part 4, see section 4.

**day only procedure patient** means a patient who—

- (a) is admitted to a public sector hospital for a procedure that requires treatment of the patient by admission to the hospital but does not normally require the patient to stay in the hospital until the next day; and
- (b) does not stay in the hospital until the next day.

***diagnostic imaging service*** see the *Health Insurance Act 1973* (Cwlth), section 3.

***eligible person*** means an eligible person under the *Health Insurance Act 1973* (Cwlth).

***extended treatment facility*** means a facility that provides specialised extended in-patient treatment and rehabilitation to persons with a mental illness.

***hostel place*** means a place in Eventide Charters Towers, Eventide Rockhampton or Eventide Sandgate, other than a place allocated by the Commonwealth to the State under the *Aged Care Act 1997* (Cwlth), section 14-1.

***ineligible person*** means a person who is not an eligible person.

***interstate workers' compensation patient*** means a patient who is—

- (a) a third party patient; and
- (b) receiving, or is entitled to receive, compensation under a law of the Commonwealth or another State, similar to the *Workers' Compensation and Rehabilitation Act 2003*.

***leave*** see section 5(1).

***maintenance care*** means care or treatment—

- (a) that is provided to a patient who has been accommodated in a public sector hospital for at least 35 consecutive days; and
- (b) for which the clinical intent or goal is to prevent deterioration in the functional status of the patient.

**MBS fee**, for a diagnostic imaging service or a pathology service, means the fee for the service stated in the Medicare Benefits Schedule.

**Medicare Benefits Schedule** means the Medicare Benefits Schedule book published by the Commonwealth department in which the *Health Insurance Act 1973* (Cwlth) is administered, as in force from time to time.

*Editor's note—*

The Medicare Benefits Schedule is available on the website of the Australian Government Department of Health and Ageing at <[www.health.gov.au](http://www.health.gov.au)>.

**NDY** means number of days in the year.

**nursing home type patient** see the *Health Insurance Act 1973* (Cwlth), section 3.

*Editor's note—*

*Health Insurance Act 1973* (Cwlth), section 3(1) (Interpretation)—

**nursing-home type patient**, in relation to a hospital, means a patient in the hospital who has been provided with accommodation and nursing care, as an end in itself, for a continuous period exceeding 35 days.

**pathology request** means a written request for a pathology service.

**place**, in relation to a place in a relevant facility, see the *Aged Care Act 1997* (Cwlth), schedule 1.

**private patient** means a person who is a patient of a private medical practitioner.

**psychogeriatric unit** means a part of an extended treatment facility that provides specialised extended in-patient treatment and rehabilitation to persons with a mental illness who also suffer an age-related condition.

**public Queensland workers' compensation patient** means a Queensland workers' compensation patient who is a public patient.

**Queensland workers' compensation patient** means a patient who is—

- (a) a third party patient; and

- (b) receiving, or is entitled to receive, compensation under the *Workers' Compensation and Rehabilitation Act 2003*.

**RAA** means rent assistance amount.

**registered nurse** means a registered nurse under the *Nursing Act 1992*.

**rehabilitation care** means care or treatment of a patient for which the clinical intent or goal is to improve the functional status of the patient.

**relevant facility** means a public sector hospital, a residential care facility or an extended treatment facility.

**rent assistance amount** means the annual maximum rent assistance rate under the *Social Security Act 1991* (Cwlth), section 1070L applying to a person who is not a member of a couple.

**residential care facility** see section 3.

**same day patient** means a patient who is admitted to, and discharged from, a public sector hospital on the same day.

**scheduled service** means an outpatient service provided to or for an ineligible person, other than the following services—

- (a) a diagnostic imaging service;
- (b) a pathology request;
- (c) an accident and emergency service;
- (d) the supply of pharmaceuticals at a public sector hospital.

**shared room** means a room other than a single room.

**third party patient** means a patient who—

- (a) receives care and treatment for an injury, illness or disease; and
- (b) receives, or establishes a right to receive, an amount of compensation or damages for the injury, illness or disease.

***triage category 1 patient*** means a patient who is attended to by a doctor or registered nurse immediately on arrival at a hospital.

***triage category 2 patient*** means a patient who is attended to by a doctor or registered nurse within 10 minutes after arrival at a hospital.

***triage category 3 patient*** means a patient who is attended to by a doctor or registered nurse within 30 minutes after arrival at a hospital.

***triage category 4 patient*** means a patient who is attended to by a doctor or registered nurse within 1 hour after arrival at a hospital.

***triage category 5 patient*** means a patient who is attended to by a doctor or registered nurse within 2 hours after arrival at a hospital.

***U18 DSPA*** means under 18 disability support pension amount.

***U18 RAA*** means under 18 rent assistance amount.

***U21 DSPA*** means under 21 disability support pension amount.

***U21 RAA*** means under 21 rent assistance amount.

***under 18 disability support pension amount*** means the annual maximum basic rate under the *Social Security Act 1991* (Cwlth), section 1066A-B1 applying to a person who is—

- (a) not a member of a couple; and
- (b) under 18 years; and
- (c) living away from the person's parental home because of a medical condition of the person; and
- (d) without a dependent child.

***under 18 rent assistance amount*** means the annual maximum rent assistance rate under the *Social Security Act 1991* (Cwlth), section 1070N applying to a person who is—

- (a) not a member of a couple; and

(b) in disability accommodation.

***under 21 disability support pension amount*** means the annual maximum basic rate under the *Social Security Act 1991* (Cwlth), section 1066A-B1 applying to a person who is—

- (a) not a member of a couple; and
- (b) 18 years or more; and
- (c) not living at a home of a parent of the person; and
- (d) without a dependent child.

***under 21 rent assistance amount*** means the annual maximum rent assistance rate under the *Social Security Act 1991* (Cwlth), section 1070P applying to a person who is—

- (a) not a member of a couple; and
- (b) in disability accommodation.

***workers' compensation patient*** means a Queensland workers' compensation patient or an interstate workers' compensation patient.

## Endnotes

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 9 December 2011. Future amendments of the Health Services Regulation 2002 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

### 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	30 August 2002	
1A	2003 SL No. 4	31 January 2003	
1B	2003 SL No. 119	1 July 2003	
	2003 SL No. 130		
1C	2003 SL No. 222	20 September 2003	
1D	2003 SL No. 222	1 October 2003	
1E	2004 SL No. 6	27 February 2004	R1E withdrawn, see R2
2	—	27 February 2004	
2A	2004 SL No. 154	18 August 2004	
2B	2004 SL No. 154	20 September 2004	
2C	2004 SL No. 292	17 December 2004	
2D	2004 SL No. 257	1 January 2005	
2E	2005 SL No. 46	1 April 2005	
2F	2005 SL No. 142	1 July 2005	

Reprint No.	Amendments included	Effective	Notes
2G	2005 SL No. 170	29 July 2005	
2H	2005 SL No. 222	9 September 2005	
2I	2005 SL No. 170	20 September 2005	R2I withdrawn, see R3
3	—	20 September 2005	
3A	2006 SL No. 5	3 February 2006	
3B	2006 SL No. 148	23 June 2006	
3C	2006 SL No. 190	1 August 2006	
3D	2006 SL No. 190	20 September 2006	
3E	2006 SL No. 308	15 December 2006	
3F	2007 SL No. 3	2 February 2007	
3G	2007 SL No. 57	20 April 2007	
3H	2007 SL No. 143	29 June 2007	
3I	2007 SL No. 129	1 July 2007	
3J	2007 SL No. 129	20 September 2007	R3J withdrawn, see R4
4	—	20 September 2007	
4A	2007 SL No. 334	1 January 2008	
4B	2008 SL No. 9	1 February 2008	
4C	2008 SL No. 69	20 March 2008	
4D	2008 SL No. 185	1 July 2008	
4E	2008 SL No. 215	4 July 2008	
4F	2008 SL No. 185	20 September 2008	
4G	2008 SL No. 420	12 December 2008	
4H	2008 SL No. 420	1 January 2009	R4H withdrawn, see R5
5	—	1 January 2009	
5A	2009 SL No. 78	4 June 2009	
5B	2009 SL No. 154	24 July 2009	
5C	2009 SL No. 154	20 September 2009	
5D	2009 SL No. 274	1 December 2009	
5E	2009 SL No. 291	1 January 2010	
	2009 SL No. 311		
5F	2009 Act No. 34	29 March 2010	
5G	2010 SL No. 188	23 July 2010	
5H	2010 SL No. 193	30 July 2010	
6	2010 SL No. 193	20 September 2010	
6A	2010 SL No. 311	19 November 2010	
6B	2010 SL No. 317	26 November 2010	
6C	2010 SL No. 370	10 December 2010	
6D	2010 SL No. 370	1 January 2011	
6E	2011 SL No. 60	20 May 2011	
6F	2011 SL No. 117	1 July 2011	
6G	2011 SL No. 117	20 September 2011	
6H	2011 SL No. 271	9 December 2011	

## 5 Tables in earlier reprints

Name of table	Reprint No.
Corrected minor errors	4

## 6 List of legislation

### **Health Services Regulation 2002 SL No. 221**

made by the Governor in Council on 29 August 2002

notfd gaz 30 August 2002 pp 1557–61

commenced on date of notification

exp 1 September 2012 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Health Services Amendment Regulation (No. 1) 2003 SL No. 4**

notfd gaz 31 January 2003 pp 318–19

commenced on date of notification

### **Workers' Compensation and Rehabilitation Regulation 2003 SL No. 119 ss 1–2, 121 sch 7**

notfd gaz 20 June 2003 pp 633–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2003 (see s 2)

### **Health Legislation Amendment Regulation (No. 1) 2003 SL No. 130 pts 1, 5**

notfd gaz 27 June 2003 pp 749–56

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2003 (see s 2)

### **Health Services Amendment Regulation (No. 2) 2003 SL No. 222**

notfd gaz 19 September 2003 pp 219–21

ss 1–2 commenced on date of notification

ss 3, 4 commenced 20 September 2003 (see s 2(1))

remaining provisions commenced 1 October 2003 (see s 2(2))

### **Health Services Amendment Regulation (No. 1) 2004 SL No. 6**

notfd gaz 27 February 2004 pp 808–9

commenced on date of notification

### **Health Legislation Amendment Regulation (No. 3) 2004 SL No. 154 ss 1–2, pt 5**

notfd gaz 13 August 2004 pp 1165–7

ss 1–2 commenced on date of notification

s 11 commenced 20 September 2004 (see s 2(2))

remaining provisions commenced 18 August 2004 (see s 2(1))

**Health Services Amendment Regulation (No. 2) 2004 SL No. 257**

notfd gaz 26 November 2004 pp 1040–2  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2005 (see s 2)

**Health Legislation Amendment Regulation (No. 4) 2004 SL No. 292 pts 1–2**

notfd gaz 17 December 2004 pp 1277–85  
commenced on date of notification

**Health Legislation Amendment Regulation (No. 1) 2005 SL No. 46 pts 1–2**

notfd gaz 1 April 2005 pp 1066–9  
commenced on date of notification

**Health Legislation Amendment Regulation (No. 3) 2005 SL No. 142 pts 1, 3**

notfd gaz 1 July 2005 pp 763–6  
commenced on date of notification

**Health Legislation Amendment Regulation (No. 4) 2005 SL No. 170 ss 1–2(1), pt 5**

notfd gaz 29 July 2005 pp 1146–8  
s 10 commenced 20 September 2005 (see s 2(1))  
remaining provisions commenced on date of notification

**Health Legislation Amendment Regulation (No. 5) 2005 SL No. 222 pts 1, 3**

notfd gaz 9 September 2005 pp 147–8  
commenced on date of notification

**Health Legislation Amendment Regulation (No. 1) 2006 SL No. 5 pts 1–2**

notfd gaz 3 February 2006 pp 426–7  
commenced on date of notification

**Health Legislation Amendment Regulation (No. 5) 2006 SL No. 148 s 1, pt 2**

notfd gaz 23 June 2006 pp 898–902  
commenced on date of notification

**Health Legislation Amendment Regulation (No. 6) 2006 SL No. 190 ss 1, 2(1)–(2), pt 5**

notfd gaz 28 July 2006 pp 1480–2  
ss 1–2 commenced on date of notification  
ss 9, 11 commenced 1 August 2006 (see s 2(1))  
remaining provision commenced 20 September 2006 (see s 2(2))

**Health Legislation Amendment Regulation (No. 7) 2006 SL No. 308 pts 1, 4**

notfd gaz 15 December 2006 pp 1861–5  
commenced on date of notification

**Health Services Amendment Regulation (No. 1) 2007 SL No. 3**

notfd gaz 2 February 2007 pp 533–4  
commenced on date of notification

**Health Legislation Amendment Regulation (No. 2) 2007 SL No. 57 s 1, pt 6**

notfd gaz 20 April 2007 pp 1793–5  
commenced on date of notification

- Health Legislation Amendment Regulation (No. 3) 2007 SL No. 129 ss 1, 2(1), (3), pt 4**  
notfd gaz 22 June 2007 pp 1018–20  
ss 1–2 commenced on date of notification  
s 8 commenced 20 September 2007 (see s 2(3))  
remaining provisions commenced 1 July 2007 (see s 2(1))
- Health Legislation Amendment Regulation (No. 4) 2007 SL No. 143 pts 1, 6**  
notfd gaz 29 June 2007 pp 1157–65  
commenced on date of notification
- Health Services Amendment Regulation (No. 2) 2007 SL No. 334**  
notfd gaz 14 December 2007 pp 2131–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2008 (see s 2)
- Health Legislation Amendment Regulation (No. 1) 2008 SL No. 9 pts 1–2**  
notfd gaz 1 February 2008 pp 465–7  
commenced on date of notification
- Health Services Amendment Regulation (No. 1) 2008 SL No. 69**  
notfd gaz 20 March 2008 pp 1598–9  
commenced on date of notification
- Health Legislation Amendment Regulation (No. 3) 2008 SL No. 185 ss 1, 2(1), (3), pt 5**  
notfd gaz 27 June 2008 pp 1268–78  
ss 1–2 commenced on date of notification  
s 10 commenced 20 September 2008 (see s 2(3))  
remaining provisions commenced 1 July 2008 (see s 2(1))
- Health Services Amendment Regulation (No. 2) 2008 SL No. 215**  
notfd gaz 4 July 2008 pp 1420–21  
commenced on date of notification
- Health Legislation Amendment Regulation (No. 5) 2008 SL No. 420 pts 1, 6**  
notfd gaz 12 December 2008 pp 2044–53  
ss 1–2 commenced on date of notification  
s 16 commenced 1 January 2009 (see s 2)  
remaining provisions commenced on date of notification
- Health Services Amendment Regulation (No. 1) 2009 SL No. 78**  
notfd gaz 4 June 2009 pp 429–30  
commenced on date of notification
- Health Legislation Amendment Regulation (No. 2) 2009 SL No. 154 ss 1–2(3), pt 4**  
notfd gaz 24 July 2009 pp 1169–70  
ss 1–2 commenced on date of notification  
s 8 commenced 20 September 2009 (see s 2(3))  
remaining provisions commenced on date of notification

**Juvenile Justice and Other Acts Amendment Act 2009 No. 34 ss 1, 2(2), 45(1) sch pt 1 amdt 20**

date of assent 17 September 2009  
ss 1–2 commenced on date of assent  
remaining provisions commenced 29 March 2010 (2010 SL No. 37)

**Justice and Other Legislation (Victims of Crime Assistance) Amendment Regulation (No. 1) 2009 SL No. 274 pts 1, 3**

notfd gaz 27 November 2009 pp 1001–6  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 December 2009 (see s 2)

**Health Legislation Amendment Regulation (No. 3) 2009 SL No. 291 pts 1–2**

notfd gaz 11 December 2009 pp 1187–91  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2010 (see s 2)

**Health Services Amendment Regulation (No. 2) 2009 SL No. 311**

notfd gaz 11 December 2009 pp 1187–91  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2010 (see s 2)

**Health Services Amendment Regulation (No. 1) 2010 SL No. 188**

notfd gaz 23 July 2010 pp 1196–9  
commenced on date of notification

**Health Legislation (Fees) Amendment Regulation (No. 1) 2010 SL No. 193 ss 1, 2(2), pt 3**

notfd gaz 30 July 2010 pp 1253–5  
ss 1–2 commenced on date of notification  
s 6 commenced 20 September 2010 (see s 2(2))  
remaining provisions commenced on date of notification

**Health Services Amendment Regulation (No. 2) 2010 SL No. 311**

notfd gaz 19 November 2010 pp 754–5  
commenced on date of notification

**Health Services Amendment Regulation (No. 3) 2010 SL No. 317**

notfd gaz 26 November 2010 pp 810–13  
commenced on date of notification

**Health Legislation Amendment Regulation (No. 4) 2010 SL No. 370 pts 1–2**

notfd gaz 10 December 2010 pp 1082–6  
ss 1–2 commenced on date of notification  
s 4 commenced 1 January 2011 (see s 2)  
remaining provisions commenced on date of notification

**Health Legislation Amendment Regulation (No. 2) 2011 SL No. 60 pts 1–2**

notfd gaz 20 May 2011 pp 142–3  
commenced on date of notification  
Note—An explanatory note was prepared.

**Health Legislation (Fees) Amendment Regulation (No. 1) 2011 SL No. 117 ss 1, 2(1), (3), pt 4**

notfd gaz 1 July 2011 pp 589–96  
s 9 commenced 20 September 2011 (see s 2(3))  
pt 4 (other than s 9) commenced 1 July 2011 (see s 2(1))  
remaining provisions commenced on date of notification  
Note—An explanatory note was prepared.

**Health Legislation Amendment Regulation (No. 4) 2011 SL No. 271 pts 1–2**

notfd gaz 9 December 2011 pp 729–35  
commenced on date of notification  
Note—An explanatory note was prepared.

## 7 List of annotations

### Accommodation fees—nursing home type patient

s 7 amd 2003 SL No. 222 s 4; 2004 SL No. 154 s 11; 2005 SL No. 170 s 10; 2006 SL No. 190 s 10; 2007 SL No. 129 s 8; 2008 SL No. 185 s 10; 2009 SL No. 154 s 8; 2010 SL No. 193 s 6; 2011 SL No. 117 s 9

### Pharmaceuticals

s 8 amd 2003 SL No. 4 s 3; 2004 SL No. 6 s 3; 2004 SL No. 257 s 4; 2006 SL No. 5 s 3; 2007 SL No. 3 s 3; 2007 SL No. 334 s 4; 2008 SL No. 420 s 16; 2009 SL No. 311 s 4; 2010 SL No. 370 s 4

### PART 5—FEES FOR MEDICAL RECORDS

pt hdg om 2004 SL No. 154 s 12

#### Fees for medical records

s 22 amd 2003 SL No. 130 s 10  
om 2004 SL No. 154 s 12

#### Specified information to be given to the chief executive

prov hdg amd 2008 SL No. 9 s 3  
s 33A ins 2003 SL No. 222 s 5  
amd 2008 SL No. 9 s 3

### PART 6A—ROOT CAUSE ANALYSES

pt 6A (ss 33B–33E) ins 2008 SL No. 69 s 4

#### Declared public sector health services—Act, s 2, definition “public sector health service”

s 34AA ins 2009 SL No. 78 s 3

#### Administrative units—Act, s 24(1)

s 34A ins 2006 SL No. 308 s 26  
sub 2011 SL No. 271 s 3

#### Criteria for prescribed public hospitals—Act, s 38A

s 34B ins 2006 SL No. 308 s 26

**Prescribed designated person for confidentiality—Act, s 60**

s 34BA ins 2007 SL No. 57 s 14

**Disclosure for purposes relating to health services—Act, s 62H(b)**

s 34C ins 2006 SL No. 308 s 26

amd 2007 SL No. 57 s 15; 2007 SL No. 143 s 18; 2010 SL No. 188 s 3; 2011 SL No. 60 s 3

**Prescribed agreements—Act, s 62N(1)**

prov hdg amd 2005 SL No. 142 s 7(1)

s 35 amd 2005 SL No. 142 s 7(2)

sub 2006 SL No. 148 s 4

**SCHEDULE 1—FEES**

sub 2003 SL No. 130 s 11

amd 2003 SL No. 119 s 121 sch 7; 2003 SL No. 222 s 6

sub 2004 SL No. 154 s 13; 2005 SL No. 170 s 11; 2006 SL No. 190 s 11; 2007 SL No. 129 s 9; 2008 SL No. 185 s 11

amd 2009 SL No. 154 s 9

sub 2009 SL No. 291 s 4; 2010 SL No. 193 s 7; 2011 SL No. 117 s 10

**SCHEDULE 2—AGREEMENTS**

amd 2003 SL No. 130 s 12; 2004 SL No. 292 s 3; 2005 SL No. 46 s 3; 2005 SL No. 222 s 5; 2006 SL No. 148 s 5; 2006 SL No. 308 s 27; 2008 SL No. 215 s 3; 2010 SL No. 311 s 3; 2010 SL No. 317 s 3; 2010 SL No. 370 s 5; 2011 SL No. 60 s 4

**SCHEDULE 3—DICTIONARY**

def “**accident and emergency service**” ins 2003 SL No. 222 s 7(2)

def “**band 2 procedure**” sub 2003 SL No. 222 s 7(1)–(2)

def “**chief health officer**” ins 2003 SL No. 222 s 7(2)

om 2011 SL No. 271 s 4

def “**compensation or damages**” amd 2004 SL No. 6 s 4; 2009 SL No. 274 s 6; 2009 Act No. 34 s 45(1) sch pt 1 amdt 20

def “**diagnostic imaging service**” ins 2003 SL No. 222 s 7(2)

def “**eligible person**” amd 2009 SL No. 291 s 5(2)

def “**interstate workers’ compensation patient**” ins 2004 SL No. 154 s 14(2)

def “**maintenance care**” ins 2003 SL No. 222 s 7(2)

def “**MBS fee**” ins 2003 SL No. 222 s 7(2)

amd 2009 SL No. 291 s 5(3)

def “**Medicare Benefits Schedule**” ins 2003 SL No. 222 s 7(2)

def “**pathology request**” ins 2003 SL No. 222 s 7(2)

def “**public Queensland workers’ compensation patient**” ins 2004 SL No. 154 s 14(2)

def “**Queensland workers’ compensation patient**” ins 2004 SL No. 154 s 14(2)

def “**registered nurse**” ins 2009 SL No. 291 s 5(1)

def “**rehabilitation care**” ins 2003 SL No. 222 s 7(2)

def “**rent assistance amount**” amd 2008 SL No. 420 s 17(1)

Endnotes

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- def “**scheduled service**” ins 2003 SL No. 222 s 7(2)
- def “**triage category 1 patient**” ins 2009 SL No. 291 s 5(1)
- def “**triage category 2 patient**” ins 2009 SL No. 291 s 5(1)
- def “**triage category 3 patient**” ins 2009 SL No. 291 s 5(1)
- def “**triage category 4 patient**” ins 2009 SL No. 291 s 5(1)
- def “**triage category 5 patient**” ins 2009 SL No. 291 s 5(1)
- def “**under 18 rent assistance amount**” amd 2008 SL No. 420 s 17(2)
- def “**under 21 rent assistance amount**” amd 2008 SL No. 420 s 17(3)
- def “**WorkCover Queensland**” om 2003 SL No. 119 s 121 sch 7
- def “**workers’ compensation insurer**” ins 2003 SL No. 119 s 121 sch 7  
om 2004 SL No. 154 s 14(1)
- def “**workers’ compensation patient**” amd 2003 SL No. 119 s 121 sch 7  
sub 2004 SL No. 154 s 14

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