

## **Health Services (Fees and Charges) Amendment Order (No. 4) 2023**

**SL 2023/87**

Made by the Minister under section 56 of the Act.

**1. Citation**

This order is the *Health Services (Fees and Charges) Amendment Order (No. 4) 2023*.

**2. Commencement**

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — immediately after the *Health Services (Fees and Charges) Amendment Order (No. 5) 2023* clause 4 comes into operation.

**3. Order amended**

This order amends the *Health Services (Fees and Charges) Order 2016*.

**4. Clause 3 amended**

- (1) In clause 3(1) delete the definitions of:

*compensable day patient*

*compensable in-patient*

*compensable out-patient*

*compensable same day patient*

- (2) In clause 3(1) insert in alphabetical order:

*compensable day patient* has the meaning given in clause 3A(1);

*compensable in-patient* has the meaning given in clause 3A(2);

*compensable out-patient* has the meaning given in clause 3A(3);

*compensable same day patient* has the meaning given in clause 3A(4);

**5. Clause 3A inserted**

At the end of Part 1 insert:

**3A. Classes of compensable patients**

- (1) A *compensable day patient* is a day patient —
- (a) who —
    - (i) has received or established a right to receive compensation in respect of an injury, illness or disease for which the patient is receiving health services; or
    - (ii) when attending a hospital appears *prima facie* to have the right to receive compensation in respect of an injury, illness or disease for which the patient is receiving health services;
  - and
  - (b) in relation to whom a decision under subclause (5) has not been made in relation to the patient and the health services the patient is receiving.
- (2) A *compensable in-patient* is an in-patient —
- (a) who —
    - (i) has received or established a right to receive compensation in respect of an injury, illness or disease for which the patient is receiving health services; or
    - (ii) when attending a hospital appears *prima facie* to have the right to receive compensation in respect of an injury, illness or disease for which the patient is receiving health services;
  - and
  - (b) in relation to whom a decision under subclause (5) has not been made in relation to the patient and the health services the patient is receiving.
- (3) A *compensable out-patient* is an out-patient —
- (a) who —
    - (i) has received or established a right to receive compensation in respect of an injury, illness or disease for which the patient is receiving health services; or
    - (ii) when attending a hospital appears *prima facie* to have the right to receive compensation in respect of an injury,

illness or disease for which the patient is receiving health services;

and

- (b) in relation to whom a decision under subclause (5) has not been made in relation to the patient and the health services the patient is receiving.

(4) A ***compensable same day patient*** is a same day patient —

- (a) who is an eligible person and who —
  - (i) has received or established a right to receive compensation in respect of an injury, illness or disease for which the patient is receiving health services; or
  - (ii) when attending a hospital appears *prima facie* to have the right to receive compensation in respect of an injury, illness or disease for which the patient is receiving health services;

and

- (b) in relation to whom a decision under subclause (5) has not been made in relation to the patient and the health services the patient is receiving.

(5) The chief executive of the health service provider that is providing a health service to a compensable day patient, compensable in-patient, compensable out-patient or compensable same day patient may decide that the patient is not a compensable patient in relation to those services if the chief executive is satisfied that —

- (a) the compensation received in relation to the injury, illness or disease has been spent and the person is not entitled to further compensation in relation to the injury, illness or disease; or
- (b) the patient no longer has a right to compensation in relation to the injury, illness or disease for which it was received (including, for example, that a statutory limit to compensation has been reached); or
- (c) having regard to the circumstances of the patient, the patient would be unfairly disadvantaged by continuing to be a compensable patient; or
- (d) it is not in the interest of the health service provider for the patient to be a compensable patient in relation to the health service.

**6. Clause 4 amended**

In clause 4:

- (a) delete “scale of”;
- (b) delete “is” and insert:

are

Note: The heading to amended clause 4 is to read:

**Fees and charges**

**7. Clause 6 amended**

In clause 6(1)(a) delete “in-patients, compensable day patients” and insert:

in-patients

**8. Clause 12 amended**

Delete clause 12(2)(c) and insert:

- (c) a compensable in-patient; or

**9. Clause 13 amended**

Delete clause 13(2)(a) and insert:

- (a) a compensable day patient; or

**10. Clause 14 amended**

- (1) Delete clause 14(2)(a) and insert:

- (a) a compensable out-patient; or

- (2) In clause 14(5) delete “compensable day patient” and insert:

compensable out-patient

**11. Clause 15 amended**

Delete clause 15(2)(c) and insert:

- (c) a compensable same day patient; or

**12. Schedule 1 heading amended**

In the heading to Schedule 1 delete “**Scale of fees**” and insert:

**Fees**

**13. Schedule 1 Division 1 amended**

- (1) In Schedule 1 Division 1 item 1(b)(i) before “\$717” insert:

no more than

- (2) In Schedule 1 Division 1 item 5:

- (a) in paragraph (b)(iii) before “\$7.30” insert:

no more than

- (b) in paragraph (c)(ii) and (iii) before “\$24” insert:

no more than

A. SANDERSON, Minister for Health.

---

## Health Services (Fees and Charges) Amendment Order (No. 5) 2023

SL 2023/86

Made by the Minister under section 56 of the Act.

### 1. Citation

This order is the *Health Services (Fees and Charges) Amendment Order (No. 5) 2023*.

### 2. Commencement

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on 1 July 2023.

### 3. Order amended

This order amends the *Health Services (Fees and Charges) Order 2016*.

### 4. Schedule 1 amended

Delete Schedule 1 Divisions 1 and 2 and insert:

#### Division 1 — General

##### Subdivision 1 — In-patients

1. Accommodation, maintenance, nursing care and other services —
  - (a) for public in-patients ..... no charge
  - (b) for private in-patients —
    - (i) in single bed wards (if taken at patient's request) ..... \$717 per day
    - (ii) in other wards ..... \$421 per day
  - (c) for nursing home type patients ..... \$70.55 per day
  - (d) for nursing home type private patients ..... \$215.30 per day
  - (e) for ineligible in-patients ..... \$2 865 per day
  - (f) for eligible veteran in-patients ..... no charge

2. Home modifications service and supply or loan as appropriate, of such aids and appliances, orthotics and prostheses, oxygen, gas and equipment, wigs, surgical implants or devices as are approved by the Department CEO (including repair and replacement) ..... no charge

#### **Subdivision 2 — Day patients**

3. Accommodation, maintenance and other services for eligible day patients ..... no charge

#### **Subdivision 3 — Out-patients**

4. Out-patients service, except for medicines referred to in item 5 —
  - (a) for eligible out-patients and eligible veteran out-patients ..... no charge
  - (b) for ineligible out-patients — for each individual service rendered ..... \$381
5. Medicines, for each item —
  - (a) for holders of an entitlement card ..... no charge
  - (b) for other people who are —
    - (i) veterans who hold a Gold Card or a White Card; or
    - (ii) pensioners; or
    - (iii) concessional beneficiaries ..... \$7.30
  - (c) for all other people (other than ineligible out-patients) —
    - (i) at a participating hospital for an item on the PBS list ..... PBS price up to a maximum of \$30
    - (ii) at a participating hospital for an item not on the PBS list ..... \$24
    - (iii) at a hospital that is not a participating hospital ..... \$24

#### **Subdivision 4 — Same day patients**

6. Same day health service, other than a service subject to a charge set out in this Schedule and associated with the provision of such service —
  - (a) for public same day patients ..... no charge
  - (b) for private same day patients ..... \$347 per day
  - (c) for eligible veteran same day patients ..... no charge
  - (d) for ineligible same day patients ..... \$2 586 per day

### **Subdivision 5 — Other services**

7. Accommodation for persons accompanying patients (except when parent accompanies sick child for medical wellbeing of sick child or breastfeeding, or when breastfed child accompanies sick mother) ..... \$43 per day

## **Division 2 — Compensable patients**

### **Subdivision 1 — Compensable in-patients**

1. Accommodation, maintenance, nursing care and other services in a hospital bed, except services referred to in item 5 or 6 ..... \$3 109 per day
2. Accommodation, maintenance, nursing care and other services in a hospital bed for a patient, not being a patient mentioned in item 3, in respect of whose health services the *Motor Vehicle (Third Party Insurance) Act 1943* applies or prima facie appears to apply ..... \$2 400 per day
3. Accommodation, maintenance, nursing care and other services in a hospital bed for a patient in Perth Children's Hospital in respect of whose health services the *Motor Vehicle (Third Party Insurance) Act 1943* applies or prima facie appears to apply ..... \$3 333 per day
4. Accommodation, maintenance, nursing care and other services in a nursing home bed ..... \$347 per day
5. Accommodation, maintenance, nursing care and other services in a hospital bed for a ventilator dependent compensable in-patient with tracheostomy requiring 24 hour a day individual care ..... \$6 638 per day
6. Accommodation, maintenance, nursing care and other services in a hospital bed for a patient requiring 24 hour a day care for airway management, with or without tracheostomy ..... \$3 969 per day

### **Subdivision 2 — Compensable out-patients**

7. For radiological service — for each item of service ..... \$381
8. For medicines, subject to item 9, for each item —
- (a) at a participating hospital for an item on the PBS list ..... PBS price up to a maximum of \$30
- (b) at a participating hospital for an item not on the PBS list ..... \$24
- (c) at a hospital that is not a participating hospital ..... \$24



9. For each other individual service (with any medicines supplied at the time of the initial service being treated as included in that service).... \$381

**Subdivision 3 — Compensable same day patients**

10. Same day treatment in hospitals, other than day hospitals, nursing homes and nursing posts —
- (a) for a patient, not being a patient mentioned in paragraph (b), in respect of whose health services the *Motor Vehicle (Third Party Insurance) Act 1943* applies or prima facie appears to apply ..... \$2 827 per day
  - (b) for a patient in Perth Children's Hospital in respect of whose health services the *Motor Vehicle (Third Party Insurance) Act 1943* applies or prima facie appears to apply ..... \$3 897 per day
  - (c) for any other patient ..... \$3 649 per day

A. SANDERSON, Minister for Health.

---