

HOSPITALS AND MEDICAL SERVICES ORDINANCE 1976

827

No. 41 of 1976

An Ordinance to amend the *Hospitals and Medical Services Ordinance*

[Assented to 17 September 1976]

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Hospitals and Medical Services Ordinance 1976*. Short title
2. The *Hospitals and Medical Services Ordinance* is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.* Commencement
4. Section 4 of the Principal Ordinance is amended— Definitions
 - (a) by inserting before the definition of “charge” the following definition:

“ ‘Act’ means the *Health Insurance Act 1973*;”;
 - (b) by inserting after the definition of “dependant” the following definition:

“ ‘eligible person’ means an eligible person as defined under the Act and includes a person to whom section 7 of the Act applies;”;

and
 - (c) by inserting after the definition of “medical services” the following definitions:

“ ‘privately insured person’ means a privately insured person within the meaning of section 3 (7) of the Act;

‘salaried medical practitioner’ means—
 - (a) a medical practitioner who is employed on a full-time basis by the Commonwealth; or
 - (b) a medical practitioner who is employed on a part-time basis by the Commonwealth, but only during the period he is so employed;”.

* The date fixed was 1 October 1976 (see *Northern Territory Government Gazette* No. 40 of 1 October 1976, page 1183).

Classification
of hospital
beds

5. Section 6 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “intermediate bed.” and substituting “intermediate bed or a private bed.”;
- (b) by inserting in sub-section (2) after “intermediate bed” the words “or a private bed”; and
- (c) by adding at the end the following sub-section:
 - “(3) The Chief Medical Officer shall not classify a bed as a private bed unless it is the only bed in the room in which it is located.”.

Charges for
hospitalization

6. Section 6A of the Principal Ordinance is amended—

- (a) by omitting sub-section (1) and substituting the following sub-section:
 - “(1) Where an eligible person occupying a standard bed—
 - (a) is not a privately insured person; and
 - (b) is treated by a salaried medical practitioner,
 no charge shall be made for the accommodation provided for, and the maintenance and treatment received by, that person in that bed.”;
- (b) by omitting sub-section (2) and substituting the following sub-section:
 - “(2) The regulations may prescribe—
 - (a) the charges to be made; and
 - (b) the conditions under which those charges shall be made,
 in the case of an eligible person occupying—
 - (c) a standard bed otherwise than as referred to in sub-section (1);
 - (d) an intermediate bed; or
 - (e) a private bed.”; and
- (c) by omitting sub-section (3) and substituting the following sub-section:
 - “(3) The regulations may prescribe the charges to be made in the case of a person who is not an eligible person occupying a standard, intermediate or private bed and for the medical services he receives.”.

Repeal of
section 6B

7. Section 6B of the Principal Ordinance is repealed.

8. Section 7 of the Principal Ordinance is repealed and the following section substituted:

"7.(1) A charge payable or an expense recoverable under this Ordinance or the regulations for services rendered or expenses incurred which is not recoverable under the Act may be recovered as a debt due to the Commonwealth.

Charges, expenses recoverable as debt except in certain cases

"(2) The Director-General may exempt any of the following persons from a payment due under sub-section (1):

- (a) a person, or the dependant of a person, who is receiving a pension under the *Social Services Act 1947*;
- (b) a person, or the dependant of a person, who is receiving an allowance under the *Tuberculosis Act 1948*, or a person who is suspected to be suffering from tuberculosis;
- (c) a person who is suffering or who is suspected to be suffering from an infectious disease within the meaning of the Public Health (Infectious and Notifiable Diseases) Regulations made under the *Public Health Ordinance*;
- (d) a person who is in necessitous circumstances; or
- (e) a person included in a class of persons designated by the Director-General.

"(3) Where the Director-General exempts a person under sub-section (2) no charge shall be levied against that person."

9. Section 17 of the Principal Ordinance is amended by omitting "employed by the Commonwealth" and substituting "a salaried medical practitioner".

Commonwealth not responsible for treatment prescribed by private medical practitioner in hospital

10. Section 19 of the Principal Ordinance is amended by omitting from paragraph (d) "employed by the Commonwealth" and substituting "a salaried medical practitioner".

Regulations



