



Queensland

Health Legislation Amendment Regulation (No. 3) 2004

Subordinate Legislation 2004 No. 154

made under the

Food Act 1981

Health Act 1937

Health Services Act 1991

Pest Management Act 2001

Radiation Safety Act 1999

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Health Legislation Amendment Regulation (No. 3) 2004*.

2 Commencement

- (1) This regulation, other than section 11, commences on 18 August 2004.
- (2) Section 11 commences on 20 September 2004.

Part 2 Amendment of Food Standards Regulation 1994

3 Regulation amended in pt 2

This part amends the *Food Standards Regulation 1994*.

4 Amendment of s 11 (Fee payable for analysis)

Section 11, '\$247'—

omit, insert—

'\$253'.

Part 3 Amendment of Health (Drugs and Poisons) Regulation 1996

5 Regulation amended in pt 3

This part amends the *Health (Drugs and Poisons) Regulation 1996*.

6 Replacement of appendix 2 (Application fees for licences)

Appendix 2—

omit, insert—

‘Appendix 2 Application fees for licences

section 17

\$

Application for, or application for renewal of—

(a) controlled drug manufacturer licence	275.00
(b) restricted drug manufacturer licence	275.00
(c) controlled drug wholesaler licence	275.00
(d) restricted drug wholesaler licence	275.00
(e) poison manufacturer licence	135.00
(f) poison wholesaler licence	135.00
(g) general poison licence	75.50
(h) licence to sell S7 poisons for other than human therapeutic use	52.50
(i) wholesale representative licence	57.50’.

7 Amendment of appendix 9 (Dictionary)

Schedule 9, definition *Veterans Entitlements Act*, ‘the *Veterans Entitlements*’—
omit, insert—
‘the *Veterans’ Entitlements*’.

Part 4 Amendment of Health Regulation 1996

8 Regulation amended in pt 4

This part amends the *Health Regulation 1996*.

9 Replacement of sch 3 (Fees)

Schedule 3—
omit, insert—

‘Schedule 3 Fees

section 210

\$

Analysis of a drug or article by an analyst by any of the following methods—

- (a) chemical 230.50
- (b) physical 230.50
- (c) chemical and physical 230.50
- (d) microbiological 230.50’.

Part 5 **Amendment of Health Services Regulation 2002**

10 **Regulation amended in pt 5**

This part amends the *Health Services Regulation 2002*.

11 **Amendment of s 7 (Accommodation fees—nursing home type patient)**

Section 7(5), ‘\$79.55’—

omit, insert—

‘\$81.50’.

12 **Omission of pt 5 (Fees for medical records)**

Part 5—

omit.

13 **Replacement of sch 1 (Fees)**

Schedule 1—

omit, insert—

‘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	186.50
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.	186.50
	(b) a band 2 procedure.	208.50
	(c) a band 3 procedure.	229.50
	(d) a band 4 procedure.	255.00
3	Eligible person, who is a private patient and not a same day patient, accommodated in—	
	(a) a single room—for each day	420.00
	(b) a shared room—for each day.	255.00
4	Third party patient, other than a public Queensland workers’ compensation patient, accommodated in—	
	(a) an intensive care unit—for each day	2 978.50
	(b) a coronary care unit—for each day	1 875.50
5	Third party patient, other than a public Queensland workers’ compensation patient, receiving—	
	(a) rehabilitation care—for each day.	481.50
	(b) maintenance care—for each day	367.50
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 or maintenance care—for each day.	799.50

		\$
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 or maintenance care—for each day.	927.50
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 or maintenance care—for each day.	553.50
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 or maintenance care—for each day.	784.00
10	Ineligible person accommodated in—	
	(a) an intensive care unit—for each day	2 978.50
	(b) a coronary care unit—for each day	1 875.50
11	Ineligible person receiving—	
	(a) rehabilitation care—for each day.	481.50
	(b) maintenance care—for each day	367.50
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 or maintenance care—for each day.	799.50

		\$
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 or maintenance care—for each day.	927.50
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 or maintenance care—for each day.	553.50
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 or maintenance care—for each day.	784.00

‘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. (b) for each diagnostic imaging service (c) for each pathology service. (d) for each scheduled service.	164.00 MBS fee MBS fee 61.50
17	Ineligible person— (a) for each accident and emergency service. (b) for each diagnostic imaging service	164.00 MBS fee

	\$
(c) for each pathology request	61.50
(d) for each scheduled service	61.50

‘Part 3 Other services

	\$
18 Third party patient, other than a public Queensland workers’ compensation patient, 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	1 463.50
(b) if the treatment involves undergoing procedures, other than the procedures mentioned in paragraph (a)—for each treatment	582.00
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	1 463.50
(b) if the treatment involves undergoing procedures, other than the procedures mentioned in paragraph (a)—for each treatment	582.00’.

14 Amendment of sch 3 (Dictionary)

- (1) Schedule 3, definitions *workers’ compensation insurer* and *workers’ compensation patient*—
omit.
- (2) Schedule 3—
insert—

‘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*.

‘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*.

‘workers’ compensation patient means a Queensland workers’ compensation patient or an interstate workers’ compensation patient.’.

Part 6

Amendment of Pest Management Regulation 2003

15 Regulation amended in pt 6

This part amends the *Pest Management Regulation 2003*.

16 Amendment of s 23 (Interfering with barricades or danger signs)

Section 23(a), penalty—
omit.

17 Replacement of sch 2 (Fees)

Schedule 2—

omit, insert—

‘Schedule 2 Fees

section 30

\$

1	Application fee for a licence or renewal of a licence —	
	(a) for a period of not more than 1 year	75.50
	(b) for a period of more than 1 year but not more than 2 years	151.50
	(c) for a period of more than 2 years but not more than 3 years	227.50
	(d) for a period of more than 3 years but not more than 4 years	303.00
	(e) for a period of more than 4 years but not more than 5 years	379.00
2	Application fee for variation of licence	20.50
3	Application fee for replacement of licence	20.50’.

Part 7 Amendment of Radiation Safety Regulation 1999

18 Regulation amended in pt 7

This part amends the *Radiation Safety Regulation 1999*.

19 Replacement of sch 5 (Fees)

Schedule 5—

omit, insert—

‘Schedule 5 Fees

section 54

‘Part 1 Possession licences

‘Division 1 Radiation practices carried out with radioactive substances

		\$
1	Application fee for a possession licence	113.00
2	Possession licence—	
	(a) 1 year or less—	
	(i) base fee	136.00
	(ii) for each sealed radioactive substance or type of unsealed radioactive substance	10.50
	(b) more than 1 year but not more than 2 years—	
	(i) base fee	273.00
	(ii) for each sealed radioactive substance or type of unsealed radioactive substance	22.00
	(c) more than 2 years but not more than 3 years—	
	(i) base fee	410.00
	(ii) for each sealed radioactive substance or type of unsealed radioactive substance	32.50

‘Division 2 Radiation practices carried out with ionising radiation apparatus

		\$
3	Application fee for a possession licence	113.00
4	Possession licence—	
	(a) 1 year or less—	
	(i) base fee	136.00
	(ii) for each ionising radiation apparatus	22.00

	\$
(b) more than 1 year but not more than 2 years—	
(i) base fee	273.00
(ii) for each ionising radiation apparatus	43.00
(c) more than 2 years but not more than 3 years—	
(i) base fee	410.00
(ii) for each ionising radiation apparatus	65.50

‘Division 3 Radiation practices carried out with non-ionising radiation apparatus

	\$
5 Application fee for a possession licence	113.00
6 Possession licence—	
(a) 1 year or less—	
(i) base fee	136.00
(ii) for each non-ionising radiation apparatus	10.50
(b) more than 1 year but not more than 2 years—	
(i) base fee	273.00
(ii) for each non-ionising radiation apparatus	22.00
(c) more than 2 years but not more than 3 years—	
(i) base fee	410.00
(ii) for each non-ionising radiation apparatus	32.50

‘Part 2 Use and transport licences

	\$
7 Application fee for a use or transport licence	56.50
8 Use or transport licence—	
(a) 1 year or less	38.50
(b) more than 1 year but not more than 2 years	78.00
(c) more than 2 years but not more than 3 years	118.00

‘Part 3 Other act instruments

		\$
9	Approval to dispose	56.50
10	Application fee for an accreditation certificate	113.00
11	Accreditation certificate—	
	(a) 1 year or less	56.50
	(b) more than 1 year but not more than 2 years.	113.00
	(c) more than 2 years but not more than 3 years.	170.50
12	Application fee for a radiation safety officer certificate . .	38.50
13	Radiation safety officer certificate—	
	(a) 1 year or less	38.50
	(b) more than 1 year but not more than 2 years.	78.00
	(c) more than 2 years but not more than 3 years.	118.00

‘Part 4 Other fees

		\$
14	Application by the holder of a conditional Act instrument to change the conditions of the instrument imposed by the chief executive	113.00
15	Application by a possession licensee to change the licensee’s approved radiation safety and protection plan for a radiation practice.	56.50
16	Issue of another Act instrument to replace a lost, stolen, destroyed or damaged Act instrument.	10.50
17	Copy of the register or a part of it (for each page)	1.00’.

ENDNOTES

- 1 Made by the Governor in Council on 12 August 2004.
- 2 Notified in the gazette on 13 August 2004.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Health.