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REPATRIATION (PHARMACEUTICAL BENEFITS)
AMENDMENT BILL 1981

Date Introduced: 29 April 1981
House: House of Representatives
Presented by: Hon. M.J. MacKellar, M.P., Minister for Health and Minister representing Minister for Veterans' Affairs

Short Digest of Bill

Purpose

To enable the Pharmaceutical Benefits Remuneration Tribunal, which is to be created under the National Health (Pharmaceutical Benefits) Amendment Bill 1981, to consider the remuneration payable to pharmacists for services rendered under the pharmaceutical benefits scheme to be established to cover people eligible to receive medical treatment under the Repatriation Act and associated legislation. These pharmaceutical benefits are currently administered under the medical treatment provisions of the Repatriation Act 1920. The Bill also amends the Repatriation Act to reduce delays now occurring in cases where the Repatriation Review Tribunal having heard additional evidence has had to refer the application back to the Repatriation Commission.

Main Provisions

Current provisions of the Repatriation Act require that if new evidence is presented during the review of an application by the Repatriation Review Tribunal, that new evidence is to be referred back to the Repatriation Commission. Clause 3 amends s.107VL to provide that the application may be referred and thereby confers on the Tribunal a discretionary power to consider new evidence in the hearing, rather than having to refer the evidence back to the Commission. The clause also confers on the President a power to refer matters to the Commission where it appears prior to the Tribunal hearing that fresh evidence will be adduced.

Clause 4 of the Bill includes a new section 109, in the Act. Section 109 (1) will empower the Minister to establish a pharmaceutical benefits scheme for those eligible to receive medical treatment under the Repatriation Act and associated legislation.
Section 109(2) will empower the Minister to request the Pharmaceutical Benefits Remuneration Tribunal to extend its inquiries to include the level of remuneration payable to pharmacists under the scheme.

The proposed s. 109(2) contains provision for retrospective approval by the Minister for the scheme under Section 109(1). This will enable the Pharmaceutical Benefits Remuneration Tribunal to extend its inquiry to include the level of remuneration to pharmacists since 1 May 1980. This follows an undertaking by Mr. Justice Ludeke, Chairman of the Joint Committee on Pharmaceutical Benefits Pricing Arrangements, that should a subsequent inquiry modify his decision to reduce dispensing fees they would be adjusted accordingly.

For further information, if required, contact:

Education and Welfare Group
LEGISLATIVE RESEARCH SERVICE

5 May 1981