

1990

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

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Presented and read a first time, 6 December 1990

(*Mr Webster*)

## A BILL

FOR

**An Act to amend the *Health Insurance Act 1973* so as to prevent payment of medicare benefits in respect of certain medical services relating to the procuring of an abortion, and for related purposes**

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

### Short title etc.

5     1. (1) This Act may be cited as the *Abortion Funding Abolition Act 1990*.

      (2) In this Act, “Principal Act” means the *Health Insurance Act 1973*<sup>1</sup>.

### Commencement

10     2. This Act commences 6 months after the day on which it receives the Royal Assent.

3. (1) After section 19B of the Principal Act the following section is inserted:

**Medicare benefit not payable in respect of certain medical services relating to abortion procedures**

“19C. A medicare benefit is not payable in respect of a medical service to which item 274, 275 or 6469 in the Table as in force at the commencement of this section relates unless the claim for a medicare benefit in respect of that medical service is accompanied by a certificate in the form set out in Schedule 1AA signed by the medical practitioner who performed the medical service.”.

(2) The amendment made by subsection (1) applies only in relation to professional services rendered after the commencement of this section.

4. After Schedule 1 to the Principal Act the following Schedule is inserted:

“SCHEDULE 1AA

Section 19C

CERTIFICATE

I .....  
(insert name of Medical Practitioner)

of .....  
(insert address of Medical Practitioner)

certify that I undertook the medical service to which item 274, 275 or 6469 of the Table relates (delete whichever is/are not applicable) in relation to .....  
(insert name of pregnant person in relation to whom medical service was undertaken)

on .....  
(insert date on which medical service was undertaken)

I undertook that medical service:

(a) because, in my judgment, if I had not done so the pregnant person would have died from.....

*(insert details of relevant pathological condition); or*

(b) in order to treat

.....  
*(insert details of relevant pathological condition) and without any knowledge, or reasonable expectation, that the undertaking of the medical service would end the life of an unborn human being.*

*(delete paragraph (a) or (b), whichever is inappropriate).*

Dated .....day of .....19.....

*(Signed)* .....Medical Practitioner”.

# NOTE

No. 42, 1974, as amended. For previous amendments, see No. 58, 1975; Nos. 59, 91, 101, 109 and 157, 1976; No. 75, 1977; Nos. 36, 89 and 133, 1978; Nos. 53 and 123, 1979; No. 132, 1980; Nos. 118 and 176, 1981; Nos. 49, 80 and 112, 1982; Nos. 54 and 139, 1983; Nos. 15, 46, 63, 120, 135 and 165, 1984; Nos. 24, 65, 70, 95 and 167, 1985; Nos. 28, 75 and 94, 1986; Nos. 44, 131, 132 and 141, 1987; Nos. 85, 87, 99 and 155, 1988; Nos. 59, 95, 84 and 164, 1989; and No. 3, 1990.



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