

Member of the Community Affairs Committee,

I apologise for the haste and inadequacy of this response to your inquiry into the Health Legislation Amendment Bill, 2005, but the terms of reference provide a manifestly inadequate period for any sort of adequate response.

I wish to voice my very deep concern re Amendment as detailed:

4BAA Conditional specification of services in table items 5 At the end of section 19A

Add:

(3) The Minister may, by legislative instrument, determine that medicare benefits are not payable in respect of professional services rendered in specified circumstances.

(4) Subsections (1) and (3) do not limit each other.

Note: The heading to section 19A is altered by adding at the end "etc."

The provision of Ministerial determinations re medicare benefits without reference to legislation voted by the Australian Parliament is clearly a dangerous development. This legislation gives existing and future Minister's powers re service provision without any reference to the advice of medical professionals providing that service. Most clearly Ministers of particular religious beliefs, eg Seventh Day Adventists and similar religions that teach against reasonable medical intervention, could deem the most basic and necessary medical procedures not Medicare benefit payable. I urge you to recommend this legislation be referred to a reasonable and sensible period of Committee review in order that all the serious implications may be given adequate appraisal.

Yours Sincerely,

Jenny Scott