

Serial Number **1954/195****THE ARTIFICIAL AIDS NOTICE 1954**

PURSUANT to regulation 4 of the Social Security (Hospital Benefits for Outpatients) Regulations 1947, the Minister of Health hereby gives the following notice.

NOTICE

1. (1) This notice may be cited as the Artificial Aids Notice 1954.
- (2) This notice shall come into force on the day after the date of notification in the *Gazette*.
2. In this notice, unless the context otherwise requires,—
 - “Artificial aid” means any artificial aid prescribed by clause 3 of this notice:
 - “Crutches” means crutches for the use of any patient who has lost a leg or a foot and who is unable to use an artificial leg or an artificial foot:
 - “Permanent splint” means any splint or similar aid or appliance used permanently for purposes other than as corrective measures:
 - “Repair”, in relation to any artificial aid, means all necessary attention required to make the artificial aid serviceable, and includes remaking or remodelling; and “repaired” and “repairer” have corresponding meanings.
3. For the purposes of the Social Security (Hospital Benefits for Outpatients) Regulations 1947*—
 - (a) The following are hereby prescribed as artificial aids that may be supplied or repaired for outpatients of public hospitals—namely, artificial arms, artificial hands, artificial legs, artificial feet, crutches, and permanent splints:
 - (b) Limb socks are hereby prescribed as an artificial aid that may be supplied for outpatients of public hospitals.
4. In respect of the supply of any artificial aid, the following conditions are hereby imposed:
 - (a) That the artificial aid is recommended for the patient by an orthopaedic surgeon employed or engaged by a Hospital Board:

* Statutory Regulations 1947, Serial number 1947/68, page 249.
 Amendment No. 1: Statutory Regulations 1951, Serial number 1951/5, page 8.
 Amendment No. 2: Statutory Regulations 1951, Serial number 1951/84, page 299.

- (b) That the artificial aid is manufactured either by the Disabled Servicemen's Re-establishment League or by the splints department of a public hospital, or is of a type approved by the Director-General of Health:
- (c) That the artificial aid can, in the opinion of the manufacturer's orthopaedic adviser, be satisfactorily fitted:
- (d) That the patient is not entitled to obtain the artificial aid under the provisions of the Workers' Compensation Amendment Act 1947 or of the War Pensions Regulations 1945, or otherwise than under the Social Security (Hospital Benefits for Outpatients) Regulations 1947:
- (e) That the patient is not already in possession of a similar artificial aid obtained under the provisions of the Social Security (Hospital Benefits for Outpatients) Regulations 1947, or under the provisions of the Workers' Compensation Amendment Act 1947 or of the War Pensions Regulations 1945, that is, in the opinion of an orthopaedic surgeon employed or engaged by a Hospital Board, still satisfactory and serviceable or capable of satisfactory repair:

Provided that this condition shall not apply in the case of an artificial arm, hand, leg, or foot to be supplied as a duplicate on the recommendation of such an orthopaedic surgeon on the grounds that a duplicate is necessary for the patient in his employment:

- (f) That where the artificial aid is limb socks, there will be an initial supply only of not more than six pairs for each artificial arm, hand, leg, or foot:

Provided that nothing in this condition shall be deemed to authorize the supply of any limb socks in respect of a duplicate artificial arm, hand, leg, or foot, or in respect of any artificial arm, hand, leg, or foot supplied in replacement of one previously supplied:

- (g) That one-fifth of the cost of any artificial aid shall be recoverable from the person to whom it is supplied:

Provided that only one-tenth of the cost of each artificial aid shall be so recoverable where any two or more artificial arms, hands, legs, or feet are supplied to any patient who has lost any two or more limbs or extremities.

5. Notwithstanding anything in paragraph (b) or paragraph (g) of clause 4 of this notice, where an outpatient of a public hospital is entitled under the other provisions of that clause to a permanent splint, and an orthopaedic surgeon employed or engaged by the Hospital Board is of opinion that the splint required for the patient cannot be satisfactorily manufactured by the splints department of the hospital but can be so manufactured by some other manufacturer, the Board may pay on behalf of the patient four-fifths of the price charged by that other manufacturer for the splint or four-fifths of the amount that would in the opinion of the Board be the cost of the splint if it were manufactured by the splints department of the hospital, whichever is the less.

6. In respect of the repair of any artificial aid prescribed by paragraph (a) of clause 3 of this notice, the following conditions are hereby imposed:

- (a) That the repair is recommended by an orthopaedic surgeon employed or engaged by a Hospital Board;
- (b) That the artificial aid to be repaired was manufactured either by the Disabled Servicemen's Re-establishment League or by the splints department of a public hospital, or is of a type approved by the Director-General of Health, or, being a permanent splint, was manufactured pursuant to clause 5 of this notice;
- (c) That the artificial aid to be repaired can, in the opinion of the repairer's orthopaedic adviser, be satisfactorily repaired;
- (d) That where repair involves rebuilding or remodelling the result would, in the opinion of the recommending orthopaedic surgeon, be satisfactory;
- (e) That the patient is not entitled to have the artificial aid repaired under the provisions of the Workers' Compensation Amendment Act 1947 or of the War Pensions Regulations 1945, or otherwise than under the Social Security (Hospital Benefits for Outpatients) Regulations 1947;
- (f) That the cost of repair shall be recoverable from the patient:
Provided that the sum so recoverable shall not exceed £1, or 10s. in the case of a patient who has lost any two or more limbs or extremities;
- (g) That the need for repair to the artificial aid arises through fair wear and tear or other cause not attributable to the fault of the patient.

7. The Hospital Outpatients Splints Notice 1951* and the Hospital Outpatients Splints Notice 1951, Amendment No. 1†, are hereby revoked.

Dated at Wellington this 8th day of November 1954.

J. R. MARSHALL,
Minister of Health.

* *Gazette*, 1 March 1951, Vol. I, page 276.

† Statutory Regulations 1953, Serial number 1953/76, page 308.

EXPLANATORY NOTE

[*This note is not part of the notice, but is intended to indicate its general effect.*]

This notice consolidates, with amendments, the Hospital Outpatients Splints Notice 1951. It prescribes the artificial aids that may be supplied or repaired for outpatients of public hospitals, and the conditions on which they may be supplied or repaired. The amendments made by this notice (apart from drafting alterations for the rearrangement and clarification of some of the existing provisions) are that in future a person who has lost two or more limbs or extremities and is supplied with two or more artificial arms, hands, legs, or feet will have to pay only one-tenth of the cost of each artificial aid instead of one-fifth, and a maximum of 10s. for any repair instead of a maximum of £1.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 11 November 1954.

These regulations are administered in the Department of Health.