



**THE ACCIDENT COMPENSATION (RADIOLOGISTS COSTS)
REGULATIONS 1989**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 6th day of November 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 120 of the Accident Compensation Act 1982, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Accident Compensation (Radiologists Costs) Regulations 1989.

(2) These regulations shall come into force on the 1st day of December 1989.

2. Interpretation—(1) In these regulations, unless the context otherwise requires,—

“The Act” means the Accident Compensation Act 1982:

“Claimant” means a person who has suffered personal injury by accident to which the Act applies:

“Corporation” means the Accident Compensation Corporation:

“General practitioner” means any registered medical practitioner working in a non-specialist capacity; and includes any specialist working outside his or her registered specialty:

“Hospital” has the same meaning as in the Hospitals Act 1957:

“Personal injury by accident” means personal injury by accident to which the Act applies:

“Private hospital” means a licensed hospital as defined in section 118 of the Hospitals Act 1957:

“Public hospital” means any hospital that is not a private hospital and is operated by the Crown or an area health board:

“Radiologist” means—

(a) A registered specialist registered as a radiologist; or

(b) A general practitioner who has been granted restricted recognition or limited recognition for radiological purposes by the Department of Health:

“Registered medical practitioner” means any person who holds a current annual practising certificate issued by the Medical Council of New Zealand:

“Registered specialist” means any registered medical practitioner registered as a specialist with—

(a) The Medical Council of New Zealand; or

(b) The Department of Health for the purposes of Drug Tariff and health benefits:

“Social Security benefit” means the radiological benefit payable under the Social Security Act 1964; and includes any other benefit payable under Part II of that Act or any regulations made under that Act.

(2) No person shall be regarded as acting in the course of employment by the Crown or an area health board by reason of that person being a general practitioner contracted to work in a special area designated as such by the Director-General of Health.

3. Application—Subject to these regulations, these regulations shall apply in respect of any treatment provided on or after the 1st day of December 1989 by a radiologist to a claimant in respect of personal injury by accident, and shall not apply in respect of any such treatment provided before that date, irrespective of—

(a) The date on which any fee for any treatment was charged or paid; or

(b) The date on which the personal injury by accident occurred.

4. Corporation to pay certain costs—(1) Subject to these regulations, the Corporation shall pay the costs of treatment provided by a radiologist to any claimant in respect of personal injury by accident to the extent specified in the Schedule to these regulations.

(2) The Corporation shall not pay any costs unless it has received such information and declarations as it may require in order to verify that the claimant has suffered personal injury by accident and that the treatment in respect of which the claim for payment is made was provided in respect of personal injury by accident.

(3) The Corporation shall not pay any costs in respect of any treatment provided by a radiologist unless the claimant has, in respect of the personal injury by accident for which the claimant is treated, been referred to the radiologist by—

(a) A general practitioner; or

(b) A registered specialist,—

who is not acting in the course of employment by the Crown or an area health board and is not the radiologist providing the treatment.

(4) The costs payable by the Corporation, as required or permitted under these regulations, shall be paid—

- (a) To the radiologist; or
- (b) If they have already been paid by the claimant, then to the claimant.

5. Second opinions—(1) The Corporation shall decline to make any payment in respect of any treatment that it considers may not be necessary or appropriate or that it considers may have exceeded the number necessary or appropriate in the particular case until it has obtained a second opinion on the matter.

(2) Where the Corporation, after having obtained the second opinion, believes that the treatment was unnecessary or inappropriate it shall decline to make any payment in respect of the treatment and shall advise the claimant and the radiologist accordingly.

(3) Nothing in this regulation shall apply in any case where the treatment concerned has been provided with the prior approval of the Corporation.

6. Costs not payable in respect of public hospital services—No payment shall be made by the Corporation in respect of any treatment provided by a radiologist—

- (a) In a public hospital; or
- (b) To any claimant as an out-patient of a public hospital; or
- (c) While the radiologist is acting in the course of employment by the Crown or an area health board.

7. Goods and services tax—All amounts specified or referred to in these regulations are exclusive of goods and services tax.

8. Application of regulations to certificates and treatments provided overseas—Nothing in these regulations shall limit or restrict section 75 (8) of the Act.

SCHEDULE

Reg. 4

COSTS PAYABLE BY CORPORATION IN RESPECT OF TREATMENTS PROVIDED BY
RADIOLOGISTS

The costs payable by the Corporation for treatments that are radiological services specified in this Part and performed by a radiologist are the costs specified below in respect of that service (less any Social Security benefit) or the costs that the radiologist would have charged the claimant if the service were one for which the Corporation was not making a payment (less any Social Security benefit), whichever is the lesser.

\$

Anatomical Site

<i>Upper limb and shoulder girdle</i>							
1. Sternum	..	..	..	..	..	..	41
2. Sterno-clavicular joints		..	..	..	..	..	41
3. Clavicle	..	..	..	..	..	..	39
4. Acromio-clavicular joints		..	..	..	..	..	39
5. Scapula	..	..	..	..	..	..	39
6. Shoulder	..	..	..	..	..	..	45
7. Humerus	..	..	..	..	..	..	38
8. Elbow joint	..	..	..	..	..	..	38
9. Forearm	..	..	..	..	..	..	38
10. Hand and/or wrist joint		..	..	..	..	..	37
11. Arthrogram	..	..	..	..	..	..	125
12. Tomography, additional		..	..	..	..	..	33
13. Upper limb (infant)	..	..	..	..	..	..	39
<i>Lower limb and pelvic girdle</i>							
14. Sacro-iliac joints	..	..	..	..	..	..	39
15. Pelvis	..	..	..	..	..	..	44
16. Pelvis plus hip joint	..	..	..	..	..	..	44
17. Pelvis and/or both hip joints	..	..	..	..	..	..	46
18. Hip joint (2 projections)	..	..	..	..	..	..	45
19. Femur	..	..	..	..	..	..	45
20. Knee joint	..	..	..	..	..	..	44
21. Knee joint plus intercondylar and/or axial projection		..	..	..	..	..	45
22. Leg	..	..	..	..	..	..	44
23. Ankle joint	..	..	..	..	..	..	44
24. Ankle joint plus projections in forced inversion and/or eversion		..	..	..	..	..	45
25. Foot	..	..	..	..	..	..	37
26. Foot plus projection with weight bearing		..	..	..	..	..	42
27. Arthrogram	..	..	..	..	..	..	125
28. Tomography, additional		..	..	..	..	..	33
29. Lower limb (infant)	..	..	..	..	..	..	39
<i>Spinal column</i>							
30. Cervical spine	..	..	..	..	..	..	53
31. Thoracic spine	..	..	..	..	..	..	53
32. Lumbar spine plus lumbo-sacral joint		..	..	..	..	..	56
33. Sacro-coccygeal spine	..	..	..	..	..	..	53
34. Tomography, additional		..	..	..	..	..	33
35. Lower thoracic and lumbar spine		..	..	..	..	..	55

SCHEDULE—*continued*COSTS PAYABLE BY CORPORATION IN RESPECT OF TREATMENTS PROVIDED BY
RADIOLOGISTS—*continued*

						\$
36. Cervical and upper thoracic spine	..	..	..	..	..	55
37. Lumbar spine	..	..	..	..	..	56
38. Lumbar spine and sacrum	..	..	..	..	..	56
<i>Respiratory system</i>						
39. Nasal sinuses	..	..	..	..	..	38
40. Naso-pharynx	..	..	..	..	..	37
41. Larynx	..	..	..	..	..	37
42. Thoracic inlet	..	..	..	..	..	37
43. Chest (PA projection)	..	..	..	..	..	33
44. Chest (with lateral projection)	..	..	..	..	..	43
45. Thoracic cage	..	..	..	..	..	40
46. AP tomography, additional	..	..	..	..	..	40
47. Lateral tomography, additional	..	..	..	..	..	40
<i>Alimentary system</i>						
48. Upper teeth	..	..	..	..	..	38
49. Lower teeth	..	..	..	..	..	38
50. Mandible	..	..	..	..	..	47
51. Temporomandibular joints	..	..	..	..	..	47
52. Abdomen (single projection)	..	..	..	..	..	42
53. Abdomen (2 or more projections)	..	..	..	..	..	51
54. Tomography, additional	..	..	..	..	..	33
<i>Renal system</i>						
55. Plain renal	..	..	..	..	..	42
56. Intravenous pyelogram	..	..	..	..	..	97
57. Retrograde pyelogram	..	..	..	..	..	101
58. Retrograde cystogram	..	..	..	..	..	92
59. Micturating cysto-urethrogram	..	..	..	..	..	101
60. Tomography, additional	..	..	..	..	..	33
<i>Nervous system</i>						
61. Skull	..	..	..	..	..	53
62. Nasal bones	..	..	..	..	..	39
63. Facial bones	..	..	..	..	..	51
64. Optic foramina	..	..	..	..	..	49
65. Auditory canals	..	..	..	..	..	39
66. Lumbar myelogram or radiculogram	..	..	..	..	..	131
67. Lumbar and thoracic myelogram or radiculogram	..	..	..	..	..	135
68. Lumbar, thoracic and cervical myelogram or radiculogram	..	..	..	..	..	145
69. Cerebello-pontine cisternogram	..	..	..	..	..	99
70. Lumbar or cisternal encephalogram	..	..	..	..	..	128
71. Ventriculogram	..	..	..	..	..	111
72. Tomography, additional	..	..	..	..	..	33

SCHEDULE—*continued*COSTS PAYABLE BY CORPORATION IN RESPECT OF TREATMENTS PROVIDED BY
RADIOLOGISTS—*continued*

	\$
<i>Ultrasound</i>	
73. Gall bladder and upper abdomen	41
74. Kidney and bladder	92
75. Head	80
76. Female pelvis	40
<i>Computerised tomography—only for head and/or spinal injuries and only on request by a registered specialist who is not acting in the employment of the Crown or an area health board, and with the prior approval of the Corporation.</i>	
77. Scan of brain (8 or more slices)	286
78. Scan of spine (25 slices or less)	343
79. Scan of spine (25 or more slices)	486

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations specify the fees that the Accident Compensation Corporation shall pay in respect of services provided after 1 December 1989 by radiologists in respect of personal injury by accident.

The Corporation is required to pay the lesser of the radiologist's normal charge for similar services or the amount specified in the Schedule in respect of the treatment (less in each case any Social Security benefit).

By virtue of the Accident Compensation Act 1982 and these regulations, the Corporation is not authorised to make any payment until a claim has been verified, and it is satisfied that the service provided relates to the claim.

The Corporation is prohibited from making any payment unless the claimant has been referred to the radiologist by a general practitioner or another specialist. The referring practitioner or specialist must not be acting in the course of employment of the Crown or an area health board.

The Corporation is prohibited from making payments where the radiologist is acting in the course of employment of the Crown or an area health board.

The Corporation is only empowered to pay for CT scans if they are requested by a registered specialist and the prior approval of the Corporation is obtained.

All amounts referred to in the regulations are exclusive of goods and services tax.

Payment of the specified amounts (to which goods and services tax will be added) are to be made to the radiologist concerned, or, if the claimant has already paid the account, then to the claimant.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 9 November 1989.

These regulations are administered in the Accident Compensation Corporation.