

Serial Number 1941/122.



**THE SOCIAL SECURITY (X-RAY DIAGNOSTIC SERVICES)
REGULATIONS 1941.**

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 23rd day of
July, 1941.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Social Security Act, 1938, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations with respect to the provision of X-ray diagnostic services as supplementary benefits under Part III of the said Act.

REGULATIONS.

1. These regulations may be cited as the Social Security (X-ray Diagnostic Services) Regulations 1941.
2. In these regulations, unless the context otherwise requires,—
 - “The said Act” means the Social Security Act, 1938 :
 - “Appointed date” means the date appointed by the Minister, pursuant to clause 3 hereof, as the date on and after which the benefits provided for by these regulations will be available :
 - “Department” means the Department of Health established under the Health Act, 1920 :
 - “Hospital Board” means a Hospital Board under the Hospitals and Charitable Institutions Act, 1926 :
 - “Medical Officer of Health” means a Medical Officer of Health under the Health Act, 1920 :
 - “Minister” means the Minister of Health :

- “ Radiologist ” includes a “ recognized radiologist ” (as herein after defined) and also includes any other medical practitioner who (being employed or engaged by a Hospital Board) makes any X-ray examination or takes any X-ray photograph for the purposes of these regulations :
- “ Recognized radiologist ” means a medical practitioner who is recognized as a radiologist in accordance with the provisions of these regulations in that behalf :
- “ X-ray diagnostic services ” means the services more particularly defined in clause 4 hereof.

COMMENCEMENT OF BENEFITS UNDER THESE REGULATIONS.

3. (1) The Minister shall appoint a date on and after which the benefits provided for by these regulations will be available.
- (2) Notice of the date appointed by the Minister as aforesaid shall be given in the *Gazette* and in such other manner, if any, as the Minister thinks fit.

NATURE OF BENEFITS PROVIDED FOR BY THESE REGULATIONS.

4. (1) Except as provided in the next succeeding subclause, the benefits provided for by these regulations (hereinafter in these regulations referred to as X-ray diagnostic services) shall comprise :—
- (a) The making of X-ray examinations with the aid of a fluorescent screen :
 - (b) The taking of X-ray photographs :
 - (c) The supply and administration of any drugs or other substances for the purposes of any such examination or photograph :
 - (d) The provision of medical services incidental to any such examination or photograph, except medical services of a kind that are not ordinarily performed by radiologists as such (whether in any particular case such services are performed by the radiologist or by any other medical practitioner) :
 - (e) The provision of any other incidental services for the purposes of any such examinations or photographs.
- (2) Nothing in these regulations shall apply with respect to X-ray examinations or to X-ray photographs made or taken for dental purposes or for the purposes of life insurance.

APPLICATION OF THESE REGULATIONS.

5. These regulations shall apply only with respect to such X-ray diagnostic services as satisfy all of the following conditions :—
- (a) That they are rendered on or after the appointed date in respect of persons who are entitled to receive benefits under Part III of the said Act :
 - (b) That they are performed by or under the direct supervision of a recognized radiologist or by or under the direct supervision of a medical practitioner employed or engaged by a Hospital Board :

- (c) That (in the case of an X-ray examination without a photograph) the examination was made on the written recommendation of a medical practitioner other than the radiologist :
- (d) That (in the case of an X-ray photograph) the photograph was taken on the written recommendation of a medical practitioner other than the radiologist :

Provided that the conditions prescribed by this paragraph shall not apply in any case where a recognized radiologist who is also engaged in medical practice other than as a radiologist is of opinion, after personal examination of a patient, that it is advisable in the interests of the patient that an X-ray photograph be taken.

RECOGNITION OF MEDICAL PRACTITIONERS AS RADIOLOGISTS.

6. (1) On application made by any medical practitioner on a form to be provided for the purpose by the Department the Minister may recognize the applicant as a radiologist for the purposes of these regulations.

(2) Every such application shall specify the personal qualifications possessed by the applicant by virtue of his academic qualifications and professional experience, and shall also specify, with reasonable particularity, the apparatus or equipment in the possession of the applicant or available for his use in the performance of radiological work.

(3) Any such application may be sent or delivered to the local Medical Officer of Health for transmission to the Minister.

7. (1) The Minister, having regard to the personal qualifications of any applicant for recognition as a radiologist under these regulations and to the nature of the apparatus and equipment available for his use, may in his discretion refuse recognition or may give to the applicant absolute or limited recognition.

(2) Absolute recognition shall be in respect of all classes of X-ray diagnostic services. Limited recognition may exclude any specified class or specified classes of services or may be in respect of any specified class or specified classes of X-ray diagnostic services to the exclusion of all other classes of such services.

(3) Any recognition given by the Minister pursuant to this clause (whether absolute or limited) may be given subject to such conditions (if any), not inconsistent with these regulations, as the Minister may think fit to impose. In particular, every recognition given for the purposes of these regulations shall be subject to the condition that all apparatus and equipment used by the radiologist may be inspected from time to time and at any reasonable time by any person authorized in that behalf by the Director-General of Health.

(4) The Minister may at any time, by not less than one month's notice in writing, revoke any recognition given by him under this clause, or may convert an absolute recognition into a limited recognition, or a limited recognition into an absolute recognition, or may alter any of the conditions attached by him to any recognition.

(5) Any applicant for recognition as a radiologist under these regulations may withdraw his application at any time before it has been finally dealt with by the Minister, and any person who has been recognized as a radiologist under these regulations shall cease to be so recognized on giving to the Minister not less than one month's notice in writing to that effect.

(6) The Minister may from time to time publish in such manner as he thinks fit the names and addresses and other particulars concerning persons who for the time being are recognized as radiologists for the purposes of these regulations.

DUTY OF RADIOLOGISTS TO KEEP RECORDS.

8. (1) As soon as practicable after the completion of the making of any X-ray examination or the taking of any X-ray photograph to which these regulations apply it shall be the duty of the radiologist to make, in duplicate, a written report thereon, and, where the examination or photograph was made or taken on the recommendation of another medical practitioner, to forward a copy of his report to that medical practitioner.

(2) A copy of his report shall be retained by the radiologist for a period of not less than three years. All films or plates used for any photographs shall be retained for the same period unless they are delivered to the medical practitioner or the Hospital Board, as the case may be, in accordance with whose recommendation or instructions the photographs were taken. Where any films or plates have been disposed of as aforesaid the radiologist shall keep with his report a record of the name and address of the medical practitioner or the name of the Hospital Board, as the case may be, and the date of transmission or delivery of such films or plates.

(3) At any time during the said period of three years the copy retained by the radiologist of his report and any films or plates retained by him as aforesaid shall, on request, be produced for the inspection of any medical practitioner, being an officer of the Department of Health, who may be authorized in that behalf by the Director-General of Health.

PAYMENT OF FEES FOR X-RAY SERVICES UNDER THESE REGULATIONS.

9. (1) Fees at the rates prescribed in the Schedule hereto shall be payable out of the Social Security Fund in respect of X-ray diagnostic services to which these regulations apply.

(2) Fees in accordance with these regulations shall be payable, notwithstanding that the services may have been rendered in respect of a patient for whom the radiologist has undertaken to provide medical benefits in accordance with the Social Security (Medical Benefits) Regulations 1941.*

(3) If any examination for which fees are claimed is not expressly included in the Schedule hereto, the Minister, by a general or specific direction, may determine that such examination shall be deemed for

* Statutory Regulations 1941, Serial number 1941/24, page 48.

the purposes of these regulations to be within such one of the specified classes as in his opinion is most closely analogous thereto, and fees as for an examination of that class shall be payable accordingly.

10. (1) Where any services to which these regulations apply are performed by a medical practitioner employed or engaged by a Hospital Board, payment of the prescribed fees shall be accepted by the Hospital Board in full satisfaction of its claims in respect of such services.

(2) A Hospital Board shall not be entitled to claim or receive any payment under these regulations in respect of any X-ray diagnostic services rendered in respect of an "in-patient" of any hospital or other institution under the control of the Board.

11. (1) Where any services to which these regulations apply (not being services to which the last preceding clause relates) are performed by a recognized radiologist, the amount of the prescribed fees payable under these regulations shall be deducted from the amount charged or chargeable by the radiologist for such services, and on any account rendered to or on account of the patient for such services credit shall be given for the amount of the fees paid or payable from the fund.

(2) The Minister may withhold payment, in whole or in part, of the fees payable under these regulations to any radiologist for any X-ray diagnostic services performed by him if he is of opinion that any fee charged to or on account of the patient is excessive.

12. (1) Every claim under these regulations for the payment of fees from the Social Security Fund shall be made in the first instance to the Medical Officer of Health of the appropriate district, and shall be made on forms to be provided for the purpose by the Department.

(2) Claims for the payment of fees under these regulations shall be supported in accordance with the following provisions, namely:—

- (a) In every case the claim shall contain a certificate, signed by the radiologist by whom the service was rendered, that the service to which the claim relates was duly rendered:
- (b) In the case of a claim by a Hospital Board, the claim shall contain a statement of the name of the medical practitioner on whose recommendation the service was rendered:
- (c) In the case of a claim by a recognized radiologist, for services rendered on the recommendation of another medical practitioner, the claim shall have attached thereto a recommendation, signed by the medical practitioner, stating the name of the patient and the particular nature of the services recommended:
- (d) In the case of any other claim by a recognized radiologist, the claim shall contain or be accompanied by a brief statement, signed by the radiologist, setting out his reasons for rendering the services to which the claim relates.

(3) In the case of a claim by a recognized radiologist, the claim shall also disclose the amount of any additional charge made or proposed to be made to or on account of the patient in respect of the same services.

SCHEDULE.

SCALE OF FEES PAYABLE FROM SOCIAL SECURITY FUND IN RESPECT OF X-RAY DIAGNOSTIC SERVICES.

A. *X-ray Photographs.*

Class of Examination.	Prescribed Fee for each Examination (whether One or More Photographs are required).		
	£	s.	d.
Hand, wrist, and forearm	0	9 0
Forearm and elbow	0	9 0
Elbow and upper arm	0	9 0
Foot and lower leg	0	9 0
Lower leg and knee	0	9 0
Upper arm and shoulder	0	10 6
Shoulder and clavicle	0	9 6
Knee and thigh	0	10 6
Hip joints and pelvis	0	12 6
Skull	0	15 0
Head sinuses and antra	0	12 6
Mastoids	0	15 0
Jaw	0	12 6
Spine (a) Cervical region; (b) Dorsal region; (c) Lumbo-sacral region—			
One region	0	12 6
Two regions	1	5 0
Three regions	1	10 0
Chest	0	12 6
Chest by Tomography (each film)	0	10 0
Chest with lipiodol or equivalent (including administration of lipiodol)	1	15 0
Chest by miniature radiography	0	2 0
Plain renal and plain abdomen	0	12 6
Retrograde pyelogram	1	10 0
Intravenous pyelogram	2	2 0
Cystogram	1	5 0
Urethrogram	1	5 0
Œsophagus	0	15 0
Stomach and duodenum	1	0 0
Barium meal, complete	1	10 0
Barium enema	1	5 0
Graham's test	1	0 0
Cholangiography	1	15 0
Uterine lipiodol	1	15 0
Localized foreign bodies	0	15 0
Pelvic measurements	1	10 0
Steroscopic photographs	0	10 0

(in addition to the fee prescribed for ordinary X-ray photographs).

B. *Examination by Screening.*

Class of Examination.	Prescribed Fee.		
	£	s.	d.
For setting fractures	0	9	0
For removal of foreign bodies	0	9	0

} Fee payable for screening only in cases where photograph is not paid for.

T. R. AICKIN,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 24th day of July, 1941.
These regulations are administered in the Department of Health.