



THE SOCIAL SECURITY (LABORATORY DIAGNOSTIC SERVICES) REGULATIONS 1981, AMENDMENT NO. 7

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 15th day of August 1988

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 116 and 132 of the Social Security Act 1964, 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, commencement, and application—(1) These regulations may be cited as the Social Security (Laboratory Diagnostic Services) Regulations 1981, Amendment No. 7, and shall be read together with and deemed part of the Social Security (Laboratory Diagnostic Services) Regulations 1981* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*, and shall apply to laboratory diagnostic services provided on or after that date of commencement.

*S.R. 1981/827

Amendment No. 1: S.R. 1983/84

Amendment No. 2: S.R. 1985/42

Amendment No. 3: (Revoked by S.R. 1986/274)

Amendment No. 4: (Revoked by S.R. 1987/149)

Amendment No. 5: (Revoked by S.R. 1987/246)

Amendment No. 6: S.R. 1987/246

2. Application of regulations—(1) The principal regulations are hereby amended by revoking regulation 4, and substituting the following regulation:

“4. These regulations shall apply only in respect of laboratory diagnostic services which satisfy the following conditions:

“(a) That they are performed—

“(i) By or under the direct supervision of a recognised pathologist; or

“(ii) By a bacteriological assistant approved by the Director-General of Health (either generally or in respect of the particular services) under the direct supervision of a medical practitioner employed or engaged by an area health board or a Hospital Board:

“(b) That they are performed at the written request of either—

“(i) A medical practitioner other than the pathologist:

“Provided that the condition prescribed by this subparagraph shall not apply in any case where a recognised pathologist, who is also engaged in medical practice other than as a pathologist, is of opinion, after personal examination of a patient, that it is necessary or advisable in the interests of the patient that the laboratory diagnostic service be performed; or

“(ii) In the case of a cytological examination of a cervical smear, any person approved by the Medical Officer of Health pursuant to regulation 4A of these regulations.”

(2) The following regulations are hereby consequentially revoked:

- (a) Regulation 2 of the Social Security (Laboratory Diagnostic Services) Regulations 1981, Amendment No. 1:
- (b) Regulation 4 of the Social Security (Laboratory Diagnostic Services) Regulations 1981, Amendment No. 2.

3. Approval by Medical Officer of Health of persons to take specimens for cytological examination of cervical smears—The principal regulations are hereby amended by inserting, after regulation 4, the following regulation:

“4A. For the purposes of regulation 4 (b) (ii) of these regulations, the Medical Officer of Health may give approval to any person to take specimens for the purpose of the cytological examination of cervical smears who satisfies the Medical Officer of Health, following written application, that that person has sufficient training and competence—

“(a) To take specimens for the purpose of the cytological examination of cervical smears; and

“(b) To interpret, when received from the pathologist, the results of the cytological examination of cervical smears; and

“(c) To take all appropriate action consequent upon the interpretation of such results.”

4. Duty of pathologist to keep records—(1) Regulation 7 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) As soon as practicable after the completion of the making of any laboratory examination to which these regulations apply it shall be the duty of the pathologist to make, in duplicate, a written report thereon,

and, where the examination was made at the request of another medical practitioner or of a person approved under regulation 4A of these regulations, to forward a copy of the report to that medical practitioner or approved person.”

(2) Regulation 3 (a) of the Social Security (Laboratory Diagnostic Services) Regulations 1981, Amendment No. 1 is hereby consequentially revoked.

C. J. HILL,
Acting for Clerk of the Executive Council.

EXPLANATORY NOTE

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

Benefits are payable under the principal regulations only when laboratory diagnostic services are provided at the request of a medical practitioner.

These regulations provide that a benefit may be paid in respect of a cytological examination of a cervical smear where the service is requested by any person approved for the purpose by the Medical Officer of Health.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 31 August 1988.

These regulations are administered in the Department of Health.