



What is Section 19AB of the Health Insurance Act 1973?

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The Health Insurance Act 1973 (the Act) is an Australian Federal Act providing for a range of medical and health related payments by the Department of Health (DoH) through the Medical Benefits Schedule (MBS).

Section 19AB of the Act applies to overseas trained doctors (OTDs) and foreign graduates of an accredited medical school (FGAMS) who gained their first medical registration in Australia on or after 1 January 1997.

Section 19AB of the Act restricts OTDs and FGAMS from accessing Medicare provider numbers and the MBS unless they are working in an approved District of Workforce Shortage (DWS).

OTDs and FGAMS who are subject to Section 19AB of the Act are generally required to work in a DWS for a minimum of ten years from the date of their first medical registration in Australia.

What is the 'ten-year moratorium'?

This name is commonly applied to the restrictions under Section 19AB of the Act.

Am I subject to Section 19AB of the Act?

Yes, if you are:

- an overseas trained doctor; or
- a foreign graduate of an accredited medical school (a temporary resident when you first enrolled in medical school in Australia); and

- were first registered with an Australian State or Territory medical board on or after 1 January 1997 then you are considered restricted by Section 19AB of the Act.

New Zealand permanent residents and/or citizens

Persons who enter Australia under a New Zealand passport are considered to be temporary residents of Australia under the Migration Act 1958.

From 1 April 2010 doctors that were New Zealand permanent residents or citizens at the time that they enrolled in an Australian Medical Council accredited medical school in Australia or New Zealand are no longer classified as overseas trained doctors, and therefore are not subject to Section 19AB of the Act.

If Section 19AB of the Act applies to me, how do I gain access to the Medicare benefits arrangements?

To work as a doctor in Australia, you may need to have a Medicare provider number. This location specific number allows you and your patients to attract financial Medicare benefits for professional services rendered in private practice. A Medicare provider number uniquely identifies both the doctor and the place he/she works. In addition, OTDs and FGAMS restricted by Section 19AB of the Act need to be issued with a site specific 19AB exemption in order to attract Medicare benefits for that location.

Whilst all care has been taken in preparing this document, this information is a guide only and subject to change without notice.

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The primary criteria for assessing applications for Section 19AB exemptions is that the applicant is proposing to work in a location that is deemed to be a current DWS.

To access the 19AB exemption, OTDs and FGAMS first need to apply for an Initial Medicare provider number.

When applying for a Medicare provider number, you will need to supply Medicare Australia with the following information:

- your most recent medical registration details; and
- your visa pages/status; and
- a support letter from your relevant employer listing the commencement date of the exemption you are applying for; and/or
- relevant training supporting documentation
- evidence that the location is a current DWS

The application can then be submitted to Medicare Australia according to the instructions on the application form. Once all the relevant information is received by Medicare Australia, they will submit an application for an exemption on your behalf to DoH.

Processing time of applications

The processing of Medicare provider number applications for OTDs and FGAMS is the responsibility of both Medicare Australia and DoH.

DoH is responsible for granting the 19AB exemptions which is then sent to Medicare Australia to issue a Medicare provider number.

DoH has a statutory timeframe of up to 28 days from receipt of a complete Medicare provider number application in which to grant a 19AB exemption.

References

The Health Insurance Act 1973
www.comlaw.gov.au;
<http://www.comlaw.gov.au/Details/C2012C00842>

Section 19AB Fact Sheet
<http://www.doctorconnect.gov.au/internet/otd/publicshing.nsf/Content/section19AB>

District of Workforce Shortage Fact Sheet
<http://www.doctorconnect.gov.au/internet/otd/publicshing.nsf/Content/dwsFactsheet>

District of Workforce Shortage locator map
<http://www.doctorconnect.gov.au/internet/otd/publicshing.nsf/Content/locator>

More information

For more information please contact:

The Department of Health
Email: DWS@health.gov.au
Email: 19AB@health.gov.au

Medicare Australia
Telephone: 132 150 (Provider Liaison in your Capital City)
Email: medicare_prov@medicareaustralia.gov.au
Website: <http://www.medicareaustralia.gov.au>

See also

Practice Assist Fact Sheets:

- What is an Area of Need?
- What is a District of Workforce Shortage?
- What is Section 19AA of the Health Insurance Act 1973?

Practice Assist Templates:

- Position Description – General Practitioner

Practice Assist Check List:

- GP Start-Up Pack