
SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT
CONSOLIDATION OF NEWFOUNDLAND REGULATIONS

CONSOLIDATED NEWFOUNDLAND REGULATION 21/96

Medical Care Insurance Insured Services Regulations

under the

Medical Care Insurance Act

(O.C. 96-132)

including

Newfoundland Regulation 22/98

Amendment

(O.C. 98-008)

Under the authority of section 44 of the *Medical Care Insurance Act* and the *Subordinate Legislation Revision and Consolidation Act*, the Lieutenant-Governor in Council makes the following regulations.

REGULATIONS

Analysis

Section:

1. Short title
2. Definitions

Section:

3. Insured services
4. Services not insured
5. Repeal

Short title

1. These regulations may be cited as the *Medical Care Insurance Insured Services Regulations*.

331/78 s1

Definitions

2. In these regulations:

(a) "Act" means the Medical Care Insurance Act;

	<ul style="list-style-type: none">(b) “beneficiary” has the meaning assigned to that term by the <i>Medical Care Insurance Physicians and Fees Regulations</i>;(c) “fee schedule has the meaning assigned to that term by the <i>Medical Care Insurance Physicians and Fees Regulations</i>;(d) “hospital” means a building that is licensed, established and operated for the lodging and treatment of persons suffering from illness;(e) “illness” includes mental illness, sickness, injury, disability or complaint; and(f) “physician” includes a person entitled to provide insured services under the <i>Medical Care Insurance Physicians and Fees Regulations</i>. <p style="text-align: right;">332/78 s2</p>
Insured services	<p>3. The following services shall be insured services for the purpose of the Act:</p> <ul style="list-style-type: none">(a) all services properly and adequately provided by physicians to beneficiaries who are suffering from an illness requiring medical treatment or advice;(b) surgical-dental treatment properly and adequately provided to a beneficiary and carried out in a hospital by a dentist if the treatment is of a type specified in the Schedule to the <i>Medical Care Insurance Physicians and Fees Regulations</i>;(c) group immunizations or inoculations carried out by physicians at the request of the commission;(d) diagnostic and therapeutic X-ray and laboratory services in facilities approved by the commission which are not provided under the <i>Hospital Insurance Agreement Act</i> and regulations made under that Act. <p style="text-align: right;">332/78 s3; 199/81 s1, 90/91 s1</p>
Services not insured	<p>4. The services which are not insured services for the purposes of the Act are</p> <ul style="list-style-type: none">(a) any advice given by a physician to a beneficiary by telephone;

- (b) the dispensation by a physician of medicines, drugs or medical appliances and the giving or writing of medical prescriptions;
- (c) the preparation by a physician of records, reports or certificates for or on behalf of, or any communication to or relating to, a beneficiary;
- (d) any services rendered by a physician to the spouse and children of the physician;
- (e) any service to which a beneficiary is entitled
 - (i) an Act of the Parliament of Canada
 - (ii) an Act of the Province
 - (iii) an Act of the legislature of any province of Canada, or
 - (iv) any law of a country of part of a country;
- (f) the time taken or expenses incurred in travelling to consult a beneficiary;
- (g) ambulance service and other forms of transportation of patients;
- (h) acupuncture and all procedures and services related to acupuncture, excluding an initial assessment specifically related to diagnosis of the illness proposed to be treated by acupuncture;
- (i) examinations not necessitated by illness or at the request of a third party except as specified by the commission;
- (j) plastic or other surgery for purely cosmetic purposes unless medically indicated;
- (k) testimony in a court;
- (l) visits to optometrists, general practitioners and ophthalmologists solely for the purpose of determining whether new or replacement glasses or contact lenses are required;

- (m) the dentist, oral surgeon or general practitioner's fee for routine dental extractions performed in hospital;
- (n) fluoride dental treatment for children under 4 years of age;
- (o) excision of xanthelasma;
- (p) circumcision of newborns;
- (q) hypnotherapy;
- (r) medical examinations for drivers;
- (s) alcohol/drug treatment, outside of Canada;
- (t) consultation required by hospital regulation;
- (u) therapeutic abortions performed in the province at a facility not approved by the Newfoundland Medical Board;
- (v) sex reassignment surgery, when not recommended by the Clarke Institute of Psychiatry;
- (w) in-vitro fertilization and OSST (ovarian stimulation and sperm transfer);
- (x) reversal of previous sterilization procedure;
- (x.1) notwithstanding paragraph 3(a), surgical, diagnostic or therapeutic procedures not provided on the coming into force of this paragraph in facilities other than those listed in the Schedule to the *Hospitals Act* or approved by the commission under paragraph 3(d); and NF Reg. 22/98
- (y) other services not within the ambit of section 3.
332/78 s4; 122/90 s1; 90/91 s2; 45/95 s2; 82/95 s2

Repeal

5. The Newfoundland Medical Care Insurance (Insured Services) Regulations, 1973, Newfoundland Regulation 332/78, are repealed.