



Prescribed pattern of services (the 80/20 and 30/20 rules) – Exceptional circumstances

Information on legislative requirements and consideration of exceptional circumstances when there is a breach of the 80/20 and/or 30/20 rules.

Exceptional Circumstances

If you breach the 80/20 and/or 30/20 rules, the *Health Insurance Act 1973* requires the Chief Executive Medicare (or delegate) must make a request to the Director of Professional Services Review (Director) for a review of your service provision. This pattern of service is deemed to constitute inappropriate practice, except in exceptional circumstances.

Under the [Health Insurance \(Professional Services Review Scheme\) Regulations 2019 \(legislation.gov.au\)](#) the Director can consider exceptional circumstances when reviewing a practitioner's profile. Exceptional circumstances include:

- an unusual occurrence causing an unusual level of need for relevant services on the day
- an absence, on the day, of other medical services for the practitioner's patients, having regard to:
 - the location of the practitioner's practice; and
 - the characteristics of the practitioner's patients

Any compliance action under the PRP where exceptional circumstances lead to an unusual level of services would be noted for the Director consideration.

There is no legislative barrier to a practitioner providing more than 80 services in a day, provided each service is clinically relevant, medically necessary, and provided in an appropriate manner. However, we note that providing services at this level would place considerable strain on practitioners. Additionally, it might raise questions as to the quality of care the practitioner could provide, and the impact on the welfare of that practitioner.

More information

- [80/20 and 30/20 Breaches](#)
- [Detecting 80/20 and 30/20 breaches and next steps](#)
- [MBS Online](#)
- [Professional Services Review](#)
- [Preparing a written submission for the Practitioner Review Program](#)