

Spousal exemptions

Introduction

The *Health Insurance (Section 19AB Exemptions Guidelines) Determination 2019* (the Guidelines) include spousal provisions. These allow the Department of Health (Health) to consider granting a s19AB(3) exemption to overseas trained doctors (OTDs) and foreign graduates of accredited medical schools (FGAMS) who meet specific eligibility criteria, so that they can either:

- access the Medicare Benefits arrangements at a specific practice location near their spouse's primary place of employment, or
- apply to undertake competitive assessment for a training placement on the general pathway of the Australian General Practice Training Program (AGPTP) in their state or territory.

Eligibility criteria

An exemption under these provisions may only be granted to an OTD or FGAMS who is the medically qualified spouse or de facto partner of:

- a medical practitioner who is not prevented by section 19AB of the Act from rendering, or from having rendered on their behalf, a professional service for which a Medicare benefit is payable and who ordinarily resides in Australia; or
- a person who:
 - ordinarily resides in Australia;
 - has been granted a General Skilled Migration visa;
 - has been assessed by a relevant assessing authority as having a skilled occupation or a migration occupation in demand;
 - migrated to Australia within the last 10 years with the purpose to work in that occupation; and
 - is currently employed in, volunteers in or is undertaking a training placement in that occupation.

Please note that applicants who are permanent residents or citizens of Australia must hold a Fellowship qualification that is recognised in Australia to be eligible for a spousal exemption, **unless** they are seeking a transfer to or placement on the AGPTP general pathway.

The application process

Applicants must complete the attached application form (two pages) and submit it with their supporting documents via email to 19AB@health.gov.au. Health aims to assess all applications within 28 days of receipt of a complete application.

A successful application will result in Health issuing you with a letter of support. You will need to attach this letter to your Medicare provider number application, which you then submit to Services Australia for processing.

Questions

If you have any questions about the spousal provisions, please contact 19AB@health.gov.au before you submit your application for assistance.

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Application form

Applicant details	
Surname	Click or tap here to enter text.
Given name/s	Click or tap here to enter text.
Email address	Click or tap here to enter text.
Phone (business hours)	Click or tap here to enter text.
Ahpra registration number	Click or tap here to enter text.
Existing Medicare provider number	Click or tap here to enter text.
Residency status	<input type="checkbox"/> Australian temporary resident <input type="checkbox"/> Australian permanent resident <input type="checkbox"/> Australian citizen
Compliance with s19AA	<input type="checkbox"/> I hold a Fellowship qualification that is recognised in Australia
	<input type="checkbox"/> I am a temporary resident registered to practise medicine after 18 October 2001
	<input type="checkbox"/> Application has been made to request placement on the general pathway of the AGPTP in: Choose an item.
	<input type="checkbox"/> None of the above – you are not eligible to apply
Practice details	
(Do not complete if you are seeking a pathway transfer)	
Practice name	Click or tap here to enter text.
Practice street address	Click or tap here to enter text.
Partner details	
Surname	Click or tap here to enter text.
Given name/s	Click or tap here to enter text.
AHPRA registration number	Click or tap here to enter text.
Existing Medicare provider number	Click or tap here to enter text.
Occupation	Click or tap here to enter text.
Name of employer	Click or tap here to enter text.
Full street address of primary employment location	Click or tap here to enter text.
Is your partner:	
A medical practitioner subject to s19AB	<input type="checkbox"/> I confirm that my partner has an unconditional s19AB exemption in relation to their employment
A medical practitioner not subject to S19AB	<input type="checkbox"/> I confirm that my partner is not subject to the moratorium restriction at the time of this application
Non-medical practitioner <i>Your partner must meet all criteria to be eligible in the non-medical practitioner category and provide all required documentation as indicated below.</i>	<input type="checkbox"/> I confirm that my partner was granted a skilled migrant visa; AND <input type="checkbox"/> I confirm that my partner migrated to Australia on the skilled migrant visa within the last 10 years with the purpose to work in a relevant occupation.
	<input type="checkbox"/> I confirm that my partner has had their skills assessed by a relevant authority, refer to Skilled occupation list: https://immi.homeaffairs.gov.au/visas/working-in-australia/skill-occupation-list
	<input type="checkbox"/> I confirm that my partner is currently employed in relation to those skills
None of the above	<input type="checkbox"/> You are not eligible to apply.

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Supporting documents

Before you submit your application, make sure you have attached the following supporting documents. If you do not provide all of the required documents, your application will be returned to you as incomplete.

Required for all applications

- Passport details page for applicant and spouse

Required if your spouse is a doctor

- Current medical registration of spouse
- Copy of spouse's unrestricted s19AB(3) exemption or class exemption, or evidence that spouse is not subject to the moratorium

Required if your spouse is not a doctor and is a skilled migrant

- Spouse's signed and dated employment contract for their first position working as a skilled migrant in Australia, including the occupation name and physical location.
- *If working with a new employer*, spouses current signed and dated employment contract from their employer.
- Support letter from your spouse's current employer confirming they are currently employed in relation to their skills.
- Spouse's skilled migration visa
- Spouse's skills assessment for migration
- Provided either:
 - Spouse's International movement records from the Department of Home Affairs (*see form 1359 on the Department of Home Affairs website - <https://immi.homeaffairs.gov.au/entering-leaving-subsite/Pages/Requesting-travel-records.aspx>*) or,
 - Your spouse's passport page/s, which includes the Australian skilled visa migration, dated stamp (not the generic arrival stamp).

Please attach at least one of the following

(Please submit current documents within the last 3-6 months) to demonstrate a shared residence

- Lease/mortgage/tenancy agreement, with both names and address listed
- Utility bill, with both names and address listed
- Joint bank account statement/account confirmation, with both names and address listed

The following documents must also be supplied, where applicable

- Marriage certificate, if you are married
- Visa grant notice for applicant and spouse, if you are not Australian citizens
- Applicant's Fellowship certificate, if you hold Fellowship
- Letter of offer or employment contract from proposed practice location (not required for AGPTP applicants)

Applicant declaration

Full name: [Click or tap here to enter text.](#)

Date: [Click or tap to enter a date.](#)

I certify that I have attached true and accurate copies of each of the required documents to my application.

Office use only	
Location	<input type="checkbox"/> Specific location – near spouse's employment location <input type="checkbox"/> Specific location – not near spouse's employment location <input type="checkbox"/> Not applicable – AGPTP
Supporting documents	<input type="checkbox"/> Verified
AHPRA Registration	<input type="checkbox"/> Registration verified <input type="checkbox"/> Applicant does not have conditions that would prevent this request.
Decision	Choose an item.
Reason/s for decision	Click or tap here to enter text.
Date of decision	Click or tap to enter a date.
Assessor	Click or tap here to enter text.
Delegate	Click or tap here to enter text.