



Section 19AB - Access to Medicare Provider Numbers for Overseas Trained Doctors

What is section 19AB?

Section 19AB(1) of the [Health Insurance Act 1973](#) (Act) is one of the Australian Government's key levers supporting the distribution of medical services into rural and remote areas.

It does this by preventing the payment of Medicare benefits to overseas trained doctors (OTDs) and foreign graduates of an accredited medical school (FGAMS) for a minimum period of ten years (the ten year moratorium) from the date of their first registration as a medical practitioner in Australia. Access to Medicare benefits is granted to doctors who seek to practise within a Distribution Priority Area (DPA) for GPs or a District of Workforce Shortage (DWS) for other specialties.

Section 19AB of the Act sets out the rules for international medical graduates and these restrictions. The Department of Health administers section 19AB in line with the [Health Insurance \(Section 19AB Exemptions\) Guidelines 2019 \(Guidelines\)](#).

Where can I work if I am an OTD/FGAMS subject to section 19AB?

The Government uses the [DPA](#) and [DWS](#) classifications to identify maldistribution of the medical workforce in Australia. You can use the [Health Workforce Locator](#) to identify whether a practice or region is currently a DPA or DWS for your specialty.

DPA and DWS classifications are updated every year and information is available [here](#) about how the update happens, which locations have changed status and the assessment of each GP catchment.

The Government also funds a number of [incentives and supports](#) to encourage doctors to move to, and remain working in, regional, rural and remote Australia.

Can I work in a non-DPA/DWS?

There are certain circumstances that a doctor can gain an exemption to work outside a DPA/DWS. More information about these exemptions are available in the table below.

How do I apply for a section 19AB exemption?

A doctor must submit a completed [Medicare provider number application](#) to Services Australia (Medicare), who will determine whether the applicant doctor is subject to section 19AB. If required, Medicare will submit the section 19AB exemption application to the Department of Health for assessment on the applicant doctor's behalf.

The Department of Health must decide on a section 19AB application within 28 calendar days of receipt. The section 19AB decision is returned to Services Australia (Medicare) who will notify the applicant of the decision and, if approved, issue a Medicare provider number.

Applications are assessed in order of receipt to ensure procedural fairness to all applicants. High volumes of applications are received at certain times of year and applications may take time when this occurs (e.g. start of each calendar year).

Medicare provider number applications can be submitted via email. The application form, along with the required documents, can be submitted to provider.registration@servicesaustralia.gov.au.



What if I disagree with a decision?

If your exemption request does not meet the criteria and you disagree with the outcome, you may make a formal request for reconsideration under the provisions of section 19AC of the Act.

To do this, you should send an email with supporting documents to: 19AC@health.gov.au. You should include the basis for your request for reconsideration, including new information or documents that may further demonstrate your case. Resubmitting the same information as your original application will not impact on the initial decision.

You have 90 days to make a request under section 19AC. All review requests are actioned by the Department of Health within 28 calendar days of receipt.

Are there any special arrangements during the COVID-19 pandemic?

As the COVID-19 pandemic continues to evolve, one of the main priorities of the Government is to ensure workforce distribution measures are not impacted and to maintain workforce in communities most in need, particularly in rural and remote areas. This includes legislative requirements under section 19AB of Act.

However, the Department of Health will consider exemptions on a case by case basis based on the effects of the COVID-19 pandemic on an individual doctor's circumstances. Doctors are required to undertake the usual application process (see above). The application should also include a letter to outline the exceptional circumstances they consider to be relevant, and what extension or consideration is being requested.

The doctor must provide evidence showing how the COVID-19 pandemic has affected their ability to meet responsibilities under section 19AB. These short-term arrangements may result in a time-limited exemption, with usual program rules applying after the exemption has finished.

More information and support?

Please visit the Department of Health [website](#) for more information. If you have specific questions about the exemptions in the table below, please contact the Department of Health at: 19AB@health.gov.au.



Exemption types and Criteria assessed

Name	Description	Assessed criteria
Locum	Practise at a non-DPA/DWS location for their medical specialty for a one-off period of up to six months at each practice location.	Must not have had a locum exemption at the requested location previously approved.
Assist at Operations	Grants access to a single set of Medicare items, which allows doctors to assist at an operation or an invasive specialist procedure under the supervision of a fully qualified surgeon in a non-DPA, non-DWS area.	Maximum exemption period is visa or medical registration expiry date.
Replacement rules	Practise at a non-DPA/DWS location when another doctor subject to s19AB has left the practice and the area.	Seeking to replace <u>another medical practitioner who</u> : <ul style="list-style-type: none">• held an indefinite s19AB(3) exemption that enabled unrestricted Medicare access at the medical practice• provided consistent Medicare-subsidised services at the medical practice within the last 12 months• ceased practicing at all locations in the catchment area, having closed each of the related provider numbers• provided a written statement to confirm that they have ceased, and have no intention of returning to, private practise within the catchment area.
Spousal	Practise in a non-DPA/DWS area within a reasonable distance of their spouse, who is a skilled migrant or doctor not prevented by s19AB from accessing Medicare.	The criteria and process are provided on the Spousal exemption information and application form
Prior employment negotiations	Practise in a non-DPA/DWS location where the practice and applicant entered into employment negotiations when that location was a DPA/DWS.	Provide evidence that negotiations began when a location was a DPA/DWS. Evidence could include emails negotiating start date, negotiating re: any delays etc, or copies of signed contracts.



Name	Description	Assessed criteria
Commonwealth funded Aboriginal and Torres Strait Islander primary health care service	Practise at an Aboriginal and Torres Strait Islander primary health service in non-DPA/DWS areas.	A location that is approved under the class exemption must be listed on a direction under subsection 19(2) of the Health Insurance Act 1973 or under the organisational umbrella of a location listed on the direction.
After-hours	Accessing the Medicare benefits arrangements in an after-hours capacity is considered to meet DPA/DWS requirements across Australia for all medical specialties. After-hours is defined as 6pm to 8am Monday to Friday and all day Saturday, Sunday and Public Holidays.	Exemption provided for after-hours services only.
Discretionary	The Guidelines allow consideration of 'any other matters the Minister considers relevant' in granting an exemption to s19AB.	A discretionary exemption may be approved if: <ul style="list-style-type: none">- an applicant provides evidence of caring for an immediate family member with a medical condition (supported by independent medical evidence) requiring them to be in a metropolitan area.- where evidence is provided that the COVID-19 pandemic has affected a doctor's ability to meet section 19AB requirements
Specialty in acute shortage	Practise in a specialty in acute shortage (per DWS classification) anywhere across Australia.	If a doctor's specialty is on the acute shortage list they are eligible for an exemption at any location across Australia.
Placement on a workforce or training program	A doctor has an approved placement on workforce or training program at a given location.	A doctor may be eligible for an exemption if they have a placement at a location on a workforce or training program . These programs have their own location restrictions.