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

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

Definitions 2. In these regulations:

(a) “Act” means the Medical Care Insurance Act;
(b) “beneficiary” has the meaning assigned to that term by the *Medical Care Insurance Physicians and Fees Regulations*;

(c) “fee schedule has the meaning assigned to that term by the *Medical Care Insurance Physicians and Fees Regulations*;

(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 *Medical Care Insurance Physicians and Fees Regulations*.

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### Insured services

3. The following services shall be insured services for the purpose of the Act:

   (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 *Medical Care Insurance Physicians and Fees Regulations*;

   (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 *Hospital Insurance Agreement Act* and regulations made under that Act.

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### Services not insured

4. The services which are not insured services for the purposes of the Act are

   (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  
(y) other services not within the ambit of section 3.

Repeal

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 The Newfoundland Medical Care Insurance (Insured Services) Regulations, 1973, Newfoundland Regulation 332/78, are repealed.