



Number 37 of 2017

Health Insurance (Amendment) Act 2017



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HEALTH INSURANCE (AMENDMENT) ACT 2017

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ACTS REFERRED TO

Health Insurance Act 1994 (No. 16)

Health Insurance Acts 1994 to 2016

Stamp Duties Consolidation Act 1999 (No. 31)



Number 37 of 2017

HEALTH INSURANCE (AMENDMENT) ACT 2017

An Act to amend the Health Insurance Act 1994 to specify the amount of premium to be paid from the Risk Equalisation Fund in respect of certain classes of insured persons from 1 April 2018; to amend that Act to specify the amount of the hospital utilisation credit applicable from 1 April 2018; to make certain other amendments to that Act; to make a consequential amendment to the Stamp Duties Consolidation Act 1999; and to provide for related matters. [21st December, 2017]

Be it enacted by the Oireachtas as follows:

Definition

1. In this Act “Principal Act” means the Health Insurance Act 1994.

Amendment of section 7A of Principal Act

2. Section 7A of the Principal Act is amended—

(a) by the substitution of the following subsection for subsection (2A):

“(2A) (a) Subject to paragraph (b), a registered undertaking shall ensure that any requirement it has made under subsection (2) is not withdrawn and otherwise continues to have effect.

(b) A registered undertaking shall ensure that any requirement it has made under subsection (2) is withdrawn and otherwise does not continue to have effect in relation to an insured person who has, since 1 May 2015—

(i) a continuous period of cover of not less than 10 years, or

(ii) 2 or more continuous periods of cover totalling not less than 10 years.

(c) In this subsection, ‘continuous period of cover’ shall be construed in accordance with the Health Insurance Act 1994 (Determination of Relevant Increase under section 7A and Provision of Information under section 7B) Regulations 2014 (S.I. No. 312 of 2014).”,

and

(b) in subsection (7)—

- (i) in paragraph (b), by the substitution of “other registered undertaking,” for “other registered undertaking.”, and
- (ii) by the insertion of the following paragraph after paragraph (b):
 - “(c) require that the registered undertaking concerned, in determining the amount of any relevant increase, take into account, to the extent and subject to any conditions specified in the regulations—
 - (i) in respect of a person who has been an insured person for a period of not less than 3 years, any period or periods (each of which period is not less than 6 months) totalling not more than 3 years where, during that period or periods, the insured person concerned ceased to be an insured person for the purposes of this section,
 - (ii) in respect of a person who has resided outside the State for a period of not less than 6 months, the period during which that person so resided, provided he or she becomes an insured person within a prescribed period of ceasing to reside outside the State,
 - (iii) in respect of a person who was formerly a member of the Permanent Defence Force, the period during which he or she was such member, provided he or she becomes an insured person within the prescribed period of ceasing to be such member,
 - (iv) in respect of a person who resides in the State and is insured under the Joint Sickness Insurance Scheme of the European Institutions, the period during which he or she has been a member of that scheme.”.

Amendment of section 11C of Principal Act

- 3. Section 11C(1)(b) of the Principal Act is amended by the substitution of “1 April 2018” for “1 April 2017”.

Substitution of Schedule 3 to Principal Act

- 4. (1) The Principal Act is amended by the substitution of the following Schedule for Schedule 3:

“Schedule 3

AMOUNT SPECIFIED FOR PURPOSES OF DEFINITION OF ‘HOSPITAL UTILISATION CREDIT’

- 1. For the provision of in-patient services on overnight accommodation basis - €100 per night.
- 2. For the provision of in-patient services on day case basis - €50.”.

- (2) Schedule 3 to the Principal Act, as substituted by *subsection (1)*, only applies in the case of a health insurance contract entered into or renewed on or after 1 April 2018 (and, accordingly, that Schedule, as in force immediately before that date, shall continue to apply in the case of a health insurance contract entered into or renewed on or after 1 April 2017 but before 1 April 2018).

Amendment of Schedule 4 to Principal Act

5. Schedule 4 to the Principal Act is amended by the substitution of the following Table for Table 2:

“Table 2
Amounts applicable on or after 1 April 2018

Class of Insured Person	Amount of premium to be paid from Fund
Male aged 50 years and over but less than 55 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	Nil
Male aged 50 years and over but less than 55 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	Nil
Female aged 50 years and over but less than 55 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	Nil
Female aged 50 years and over but less than 55 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	Nil
Male aged 55 years and over but less than 60 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	Nil
Male aged 55 years and over but less than 60 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	Nil
Female aged 55 years and over but less than 60 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	Nil
Female aged 55 years and over but less than 60 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	Nil

Class of Insured Person	Amount of premium to be paid from Fund
Male aged 60 years and over but less than 65 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	Nil
Male aged 60 years and over but less than 65 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	Nil
Female aged 60 years and over but less than 65 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	Nil
Female aged 60 years and over but less than 65 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	Nil
Male aged 65 years and over but less than 70 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	€400
Male aged 65 years and over but less than 70 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	€1,000
Female aged 65 years and over but less than 70 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	€300
Female aged 65 years and over but less than 70 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	€650
Male aged 70 years and over but less than 75 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	€725
Male aged 70 years and over but less than 75 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	€1,750
Female aged 70 years and over but less than 75 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	€550

Class of Insured Person	Amount of premium to be paid from Fund
Female aged 70 years and over but less than 75 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	€1,250
Male aged 75 years and over but less than 80 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	€1,075
Male aged 75 years and over but less than 80 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	€2,550
Female aged 75 years and over but less than 80 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	€850
Female aged 75 years and over but less than 80 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	€1,925
Male aged 80 years and over but less than 85 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	€1,450
Male aged 80 years and over but less than 85 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	€3,450
Female aged 80 years and over but less than 85 years on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	€1,150
Female aged 80 years and over but less than 85 years on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	€2,700
Male aged 85 years and over on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	€2,175
Male aged 85 years and over on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	€4,975

Class of Insured Person	Amount of premium to be paid from Fund
Female aged 85 years and over on the date the relevant contract (being a relevant contract (non-advanced cover)) is renewed or entered into, as the case may be	€1,450
Female aged 85 years and over on the date the relevant contract (being a relevant contract (advanced cover)) is renewed or entered into, as the case may be	€3,350

Amendment of section 125A of Stamp Duties Consolidation Act 1999

6. Section 125A of the Stamp Duties Consolidation Act 1999 is amended by the substitution of the following definition for the definition of “specified rate”:

“ ‘specified rate’ means—

- (a) in respect of relevant contracts renewed or entered into on or after 1 January 2018 and on or before 31 March 2018—
 - (i) €74 in respect of an insured person aged less than 18 years insured under a relevant contract which provides for non-advanced cover,
 - (ii) €148 in respect of an insured person aged less than 18 years insured under a relevant contract which provides for advanced cover,
 - (iii) €222 in respect of an insured person aged 18 years or over insured under a relevant contract which provides for non-advanced cover, and
 - (iv) €444 in respect of an insured person aged 18 years or over insured under a relevant contract which provides for advanced cover,

and
- (b) in respect of relevant contracts renewed or entered into on or after 1 April 2018—
 - (i) €59 in respect of an insured person aged less than 18 years insured under a relevant contract which provides for non-advanced cover,
 - (ii) €148 in respect of an insured person aged less than 18 years insured under a relevant contract which provides for advanced cover,
 - (iii) €177 in respect of an insured person aged 18 years or over insured under a relevant contract which provides for non-advanced cover, and

- (iv) €444 in respect of an insured person aged 18 years or over insured under a relevant contract which provides for advanced cover.”.

Short title, commencement, collective citation and construction

- 7. (1) This Act may be cited as the Health Insurance (Amendment) Act 2017.
- (2) (a) *Section 6* shall come into operation on 1 January 2018.
- (b) *Sections 3, 4 and 5* shall come into operation on 1 April 2018.
- (3) The Health Insurance Acts 1994 to 2016 and this Act (other than *section 6*) may be cited together as the Health Insurance Acts 1994 to 2017 and shall be construed together as one.