



Number 36 of 2023

Health Insurance (Amendment) Act 2023



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HEALTH INSURANCE (AMENDMENT) ACT 2023

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ACTS REFERRED TO

Health Insurance Act 1994 (No. 16)

Health Insurance Acts 1994 to 2022

Stamp Duties Consolidation Act 1999 (No. 31)



Number 36 of 2023

HEALTH INSURANCE (AMENDMENT) ACT 2023

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 2024; to make other amendments to that Act to specify the amount of the hospital utilisation credit applicable from 1 April 2024 and to specify the amount and percentage applicable for the purpose of definitions relating to high cost claims; to make a consequential amendment to the Stamp Duties Consolidation Act 1999; and to provide for related matters. [14th December, 2023]

Be it enacted by the Oireachtas as follows:

Definition

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

Amendment of section 11C of Principal Act

2. Section 11C of the Principal Act is amended, in subsection (1)(b), by the substitution of “1 April 2024” for “1 April 2023”.

Amendment of amount specified for purposes of definition of hospital utilisation credit

3. (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 – €163 per night.
2. For the provision of in-patient services on day case basis – €81.”.

- (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 2024 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 2021 but before 1 April 2024.

Amendment of Schedule 4 to Principal Act

4. 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 2024

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
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

Class of Insured Person	Amount of premium to be paid from Fund
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	€250
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	€850
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	€150
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	€425
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	€425
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	€1,375
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	€300
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	€925
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	€600
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	€2,025
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	€475
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	€1,450
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	€700

Class of Insured Person	Amount of premium to be paid from Fund
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	€2,425
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	€500
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	€1,600
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	€700
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	€2,425
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	€500
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	€1,600

”.

Amount and percentage specified for purposes of definitions relating to high cost claims

5. (1) The Principal Act is amended by the substitution of the following Schedule for Schedule 5:

“SCHEDULE 5

Section 6A

AMOUNT AND PERCENTAGE SPECIFIED FOR PURPOSES OF DEFINITIONS RELATING TO HIGH COST CLAIMS

1. Amount specified for the purposes of paragraph (a) of the definition of ‘high cost claim threshold’ - €50,000.
 2. Percentage specified as the high cost claim quota share - 45 per cent.”.
- (2) Schedule 5 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 2024 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 2022 but before 1 April 2024.

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 2024 and on or before 31 March 2024—
 - (i) €36 in respect of an insured person aged less than 18 years insured under a relevant contract which provides for non-advanced cover,
 - (ii) €146 in respect of an insured person aged less than 18 years insured under a relevant contract which provides for advanced cover,
 - (iii) €109 in respect of an insured person aged 18 years or over insured under a relevant contract which provides for non-advanced cover, and
 - (iv) €438 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 2024—
 - (i) €35 in respect of an insured person aged less than 18 years insured under a relevant contract which provides for non-advanced cover,
 - (ii) €140 in respect of an insured person aged less than 18 years insured under a relevant contract which provides for advanced cover,
 - (iii) €105 in respect of an insured person aged 18 years or over insured under a relevant contract which provides for non-advanced cover, and
 - (iv) €420 in respect of an insured person aged 18 years or over insured under a relevant contract which provides for advanced cover.”.

Short title, collective citation, construction and commencement

7. (1) This Act may be cited as the Health Insurance (Amendment) Act 2023.
- (2) The Health Insurance Acts 1994 to 2022 and this Act, other than *section 6*, may be cited together as the Health Insurance Acts 1994 to 2023 and shall be construed together as one.
- (3) Subject to *subsection (4)*, this Act shall come into operation on 1 January 2024.
- (4) *Sections 2, 3, 4 and 5* shall come into operation on 1 April 2024.