



BERMUDA

HEALTH (MISCELLANEOUS) AMENDMENT ACT 2017

2017 : 25

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Citation

1 This Act may be cited as the Health (Miscellaneous) Amendment Act 2017.

Amends Bermuda Health Council Act 2004

2 The Bermuda Health Council Act 2004 is amended—

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- (a) in section 5(c), by deleting “and establishing fees,” and substituting “establishing fees in respect of the standard health benefit, and establishing”; and
- (b) in section 15(1)(b), by deleting “the fees” and substituting “, in respect of the standard health benefit, fees”.

Amends Bermuda Hospitals Board Act 1970

3 Section 13 of the Bermuda Hospitals Board Act 1970 is amended by inserting after subsection (1)—

“(1A) The Minister shall consult the Bermuda Health Council before approving hospital fees that are in respect of the standard health benefit.”.

Amends Health Insurance Act 1970

4 The Health Insurance Act 1970 is amended—

- (a) in section 2—
 - (i) in subsection (1), by deleting “will defray” and substituting “is approved by the Legislature”;
 - (ii) in subsection (1)(a), by inserting “towards” before “the total cost”;
 - (iii) in subsection (1)(b), by inserting “towards” before “seven-tenths”;
 - (iv) in subsection (1)(bb), by inserting “towards” before “four-fifths”;
 - (v) in subsection (1)(c), by deleting “so much of the cost” and substituting “towards the cost”;
 - (vi) in subsection (1)(d), by inserting “towards” before “the amount of any abatement”;
 - (vii) by repealing subsection (1)(dd);
 - (viii) in subsection (1)(e), by inserting “towards” before “the total cost”; and by deleting the colon and substituting a full-stop;
 - (ix) by repealing the proviso to subsection (1)(e);
 - (x) by repealing subsection (2);
 - (xi) in subsection (4), by inserting “in such amounts,” before “at such times”;
- (b) in section 3A—
 - (i) by repealing subsection (2D); and
 - (ii) by inserting after the repealed subsection (2D)—

“(2E) There shall be paid out of the Mutual Re-insurance Fund—

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- (a) all claims for the use of haemodialysis facilities when provided by the Bermuda Hospitals Board or where provided by any other facility approved by the Bermuda Health Council at a fee to be approved by the Council; and
- (b) up to \$100,000 towards the cost of a kidney transplant and thereafter the full cost of all maintenance drugs.”; and
- (c) in section 31—
 - (i) by repealing subsection (4); and
 - (ii) in subsection (6), by deleting “under subsection (4) or (5)”.

[Section 4(a) deemed to have come into operation on 1 April 2017]

Amends Health Insurance (Artificial Limbs and Appliances) Regulations 1971

5 The Health Insurance (Artificial Limbs and Appliances) Regulations 1971 are amended—

- (a) in regulation 2, by deleting “surgically implanted prosthetic appliance” and substituting “non-surgical appliance, as approved by the Council, and any surgically implanted prosthetic appliance”; and
- (b) in regulation 3(2) by deleting “\$30,000” both times it appears and, in each case, substituting “\$100,000”.

Amends Health Insurance (FutureCare Plan) (Additional Benefits) Order 2009

6 The Schedule to the Health Insurance (FutureCare Plan) (Additional Benefits) Order 2009 is amended—

- (a) in paragraph 6 by deleting “\$70,000” and substituting “\$50,000”;
- (b) in subparagraphs (a) and (b) of paragraph 8 by inserting after “optician,” the words “in Bermuda or outside Bermuda,”.

Amends Health Insurance (FutureCare Plan) (Premium) Order 2015

7 Paragraph 2 of the Health Insurance (FutureCare Plan) (Premium) Order 2015 is amended—

- (a) by deleting “\$504.21” and substituting “\$500.14”;
- (b) by deleting “\$116.35” and substituting \$115.42.

Amends Health Insurance (Health Insurance Plan) (Additional Benefits) Order 1988

8 The Schedule to the Health Insurance (Health Insurance Plan) (Additional Benefits) Order 1988 is amended in paragraph 11 by deleting “\$70,000” and substituting “\$50,000”.

Revokes Health Insurance (Health Insurance Plan) (Enrolment) Rules 1987

9 The Health Insurance (Health Insurance Plan) (Enrolment) Rules 1987 are revoked.

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Amends Health Insurance (Health Insurance Plan) (Premium) Order 2015

10 Paragraph 2 of the Health Insurance (Health Insurance Plan) (Premium) Order 2015 is amended—

- (a) by deleting “\$433.31” and substituting “\$429.24”;
- (b) by deleting “\$100.00” and substituting “\$99.06”.

Amends Health Insurance (Maternity Benefit) Regulations 1971

11 The Health Insurance (Maternity Benefit) Regulations 1971 are amended—

- (a) in regulation 1, by inserting after the definition of “the Act”—
 - “effective date”, in relation to a contract of health insurance, means the date on which the contract begins to provide the insured person with cover in respect of the standard health benefit.”;
- (b) in regulation 2, by deleting “hospital” and substituting “health”;
- (c) in regulation 3—
 - (i) in the heading, by deleting “Suspension” and substituting “Commencement”;
 - (ii) in paragraph (1), by deleting “Benefit” and substituting “Where the effective date of the contract is before 1 June 2017, benefit”; and
 - (iii) by inserting after paragraph (1)—

“(1A) Where the effective date of the contract is 1 June 2017 or later, benefit shall be payable in respect of expenses for maternity treatment incurred by an insured person on or after the effective date of the contract.”;

- (d) in regulation 4, by inserting after paragraph (1)—
 - “(1A) Paragraph (1) does not apply on or after 1 June 2017—
 - (a) if the contract has an effective date of 1 June 2017 or later; or
 - (b) in any case where the insured person is covered in respect of the standard health benefit by a current contract.”; and
- (e) in regulation 5—
 - (i) by renumbering the existing provision as paragraph (1); and
 - (ii) inserting after paragraph (1)—

“(2) Paragraph (1) does not apply on or after 1 June 2017—

- (a) if the contract has an effective date of 1 June 2017 or later; or

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- (b) in any case where the insured person is covered in respect of the standard health benefit by a current contract.”.

Amends Health Insurance (Mutual Re-Insurance Fund) (Prescribed Sum) Order 2014
12 Paragraph 2 of the Health Insurance (Mutual Re-Insurance Fund) (Prescribed Sum) Order 2014 is amended—

- (a) in subparagraph (a), by deleting “\$25.00” and substituting “\$31.53”;
- (b) in subparagraph (b), by deleting “\$14.00” and substituting “\$16.50”;
- (c) in subparagraph (d), by deleting “\$16.40 per month; and” and substituting “\$13.16 per month.”; and
- (d) by revoking subparagraph (e).

Amends Health Insurance (Plans) Regulations 1987

13 The Health Insurance (Plans) Regulations 1987 are amended—

- (a) in Schedule 1—
 - (i) by revoking paragraph 3 (portability of benefit);
 - (ii) in paragraph 6(a), by deleting “three months” and substituting “60 days”;
 - (iii) in paragraph 6(b), by deleting “ordinarily”; and
 - (iv) by revoking paragraph 7 (reinstatement) and substituting—

“Enrolment after termination of plan

7 If a plan has terminated, a person may at any time thereafter again apply to be enrolled in the plan provided he has no unpaid premiums and is resident in Bermuda.”; and

- (b) in Schedule 2, by revoking paragraph 4 (portability of benefit).

Amends Health Insurance (Procedure for Subsidy Payments) Regulations 1971

14 Regulation 3(2) of the Health Insurance (Procedure for Subsidy Payments) Regulations 1971 is amended by deleting “relate.” and substituting “relate; such amount being one-twelfth of the sum appropriated by the Legislature in respect of subsidy payments to the Board for the year in question.”.

[Section 14 deemed to have come into operation on 1 April 2017]

Amends Health Insurance (Standard Health Benefit) Regulations 1971

15 The Health Insurance (Standard Health Benefit) Regulations 1971 are amended—

- (a) in regulation 2, by revoking paragraph (x);
- (b) in regulation 3—

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- (i) by revoking paragraph (viii);
- (ii) by deleting the full stop at the end of paragraph (xlii) and substituting a semi-colon; and
- (iii) after paragraph (xlii), inserting—
 - “(xliii) oral chemotherapies where the facility, the services, and the reimbursement rates have been approved by the Council;
 - (xliv) palliative care where the facility, the services, and the reimbursement rates have been approved by the Council.”;
- (c) in regulation 9 by—
 - (i) deleting “\$338.07” and substituting “\$334.00”;
 - (ii) deleting “\$78.02” and substituting “\$77.08”;
 - (iii) deleting “\$70.72” and substituting “\$91.57”; and
 - (iv) deleting “\$16.32” and substituting “\$21.13”;
- (d) in regulation 10 by—
 - (i) deleting “\$1,352.28” and substituting “\$1,137.52”;
 - (ii) deleting “\$312.06” and substituting “\$262.50”;
 - (iii) deleting “\$70.72” and substituting “\$167.80”; and
 - (iv) deleting “\$16.32” and substituting “\$38.72”;
- (e) in regulation 11—
 - (i) in paragraph (1)(a)(i), by deleting “\$169.04” and substituting “\$167.00”;
 - (ii) in paragraph (1)(a)(ii), by deleting “\$39.01” and substituting “\$38.54”;
 - (iii) in paragraph (1)(b)(i), by deleting “\$676.14” and substituting “\$568.76”; and
 - (iv) in paragraph (1)(b)(ii), by deleting “\$156.03” and substituting “\$131.25”; and
- (f) in regulation 12—
 - (i) in paragraph (1)(a), by deleting “\$39.01” and substituting “\$38.54”; and
 - (ii) in paragraph (1)(b), by deleting “\$156.03” and substituting “\$131.25”.

Commencement

- 16 (1) Subject to subsection (2), this Act shall come into operation on 1 June 2017.
- (2) Sections 4(a) and 14 of this Act shall be deemed to have come into operation on 1 April 2017.

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[Assent Date: 02 June 2017]

[Operative Date: 01 June 2017]