



STATUTORY INSTRUMENTS.

S.I. No. 690 of 2011



HEALTH INSURANCE ACT 1994 (INFORMATION RETURNS)
(AMENDMENT) REGULATIONS 2011

(Prn. A11/2390)

HEALTH INSURANCE ACT 1994 (INFORMATION RETURNS)
(AMENDMENT) REGULATIONS 2011

I, JAMES REILLY, Minister for Health, in exercise of the powers conferred on me by sections 3 (as amended by section 5 of the Health Insurance (Miscellaneous Provisions) Act 2009 (No. 24 of 2009)) and 7D (as amended by section 3 of the Health Insurance (Miscellaneous Provisions) Act 2011 (No. 34 of 2011)) of the Health Insurance Act 1994 (No. 16 of 1994), hereby make the following regulations:

1. These Regulations may be cited as the Health Insurance Act 1994 (Information Returns) (Amendment) Regulations 2011.

2. In these Regulations “Principal Regulations” means the Health Insurance Act 1994 (Information Returns) Regulations 2009 (S.I. No. 294 of 2009).

3. Regulation 2(1) of the Principal Regulations is amended—

(a) by inserting the following definition after the definition of “cell claim value”:

“ ‘cell returned benefits’ means the sum of all returned benefits paid, in respect of settled claims which acquired that status during the quarter concerned, to or on behalf of covered persons but disregarding any returned benefits paid which have been taken into account under a previous settled claim;”

(b) by substituting the following definition for the definition of “prescribed age band”:

“ ‘prescribed age band’ means one of the following 91 age ranges:

(a) under one year of age at the start of a specified period;

(b) one year of age but under 2 years of age at the start of a specified period;

(c) for each year of age starting from 2 years of age up to and including 89 years of age such that—

(i) the first age range is 2 years of age but under 3 years of age at the start of a specified period, and

(ii) the last age range is 89 years of age but under 90 years of age at the start of a specified period;

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 30th December, 2011.

- (d) 90 years of age and over at the start of a specified period;”,
- (c) by substituting the following definition for the definition of “private hospital accommodation”:

“ ‘private hospital accommodation’ means—

- (a) accommodation in a private hospital, whether or not in a bed, or
- (b) accommodation in a publicly-funded hospital in a bed which is designated, pursuant to Article (8)(i) of the Health Services (In-Patient) Regulations 1991 (S.I. No. 135 of 1991), as a designated private bed;”,

- (d) by inserting the following definition after the definition of “relevant period”:

“ ‘returned benefits’, in respect of each settled claim, means the sum of the net provider payments under that claim;”,

- (e) in the definition of “third party recovery”, by substituting “reinsurance;” for “reinsurance.”.

4. Regulation 4(1) of the Principal Regulations is amended by inserting “and the amount of returned benefits” after “prescribed benefits”.

5. Regulation 5 of the Principal Regulations is amended—

- (a) by substituting the following paragraph for paragraph (1):

“(1) Each returning undertaking shall make information returns to the Authority in accordance with section 7D of the Act of 1994 and the returns shall be electronically submitted such that the Authority can readily process the information contained in the returns.”,

and

- (b) by substituting the following paragraph for paragraph (3):

“(3) A returning undertaking shall ensure that each of its information returns contains the following:

- (a) for each quarter within the relevant period to which the return relates and for each type of cover, the details specified herein in respect of each cell by gender and related aggregate details:
- (i) the number of insured persons on the first day of each month of the quarter;
- (ii) the cell returned benefits for the quarter;

- (iii) the cell prescribed benefits for the quarter;
- (iv) the cell claim value for the quarter;
- (v) the aggregate details in respect of clauses (i) to (iv) for the gender concerned; and
- (vi) the aggregate details corresponding to clauses (i) to (iv) for all cells for both genders combined;

and

- (b) where the quarter is the second quarter of the relevant period, in respect of each type of cover, the number of insured persons on the first day of the first month of the first quarter of the immediately succeeding relevant period in respect of each cell by gender.”.

6. The Principal Regulations are amended by substituting the following Schedule for Schedule 2:

“SCHEDULE 2**Form No. 1**

Return to the Health Insurance Authority pursuant to section 7D of the Health Insurance Act 1994

Return for the Period ending

(NOTE: Where the returned benefits payable under a type of cover to which this form relates have materially changed, then the undertaking concerned shall make separate returns of this form in respect of each material level of returned benefit. Also, the undertaking concerned shall make separate returns of this form in respect of the sum of all types of cover to which this form relates.)

PART 1 OF RETURN

Data for First Quarter of Period:

Gender: Female

Type of cover:

Returning undertaking:

Cell	Number of insured persons on first day of the first month of that quarter	Number of insured persons on first day of the second month of that quarter	Number of insured persons on first day of the third month of that quarter	Cell returned benefits for that quarter (€000s)	Cell prescribed benefits for that quarter (€000s)	Cell claim value for that quarter
Age below 1						
Age 1						
And so on						
Age 88						
Age 89						
Age 90 and over						
All cells for that gender and type of cover combined						

Form No. 1**PART 1 OF RETURN (Continued)**

Data for First Quarter of Period:

Gender: Male

Type of cover:

Returning undertaking:

Cell	Number of insured persons on first day of the first month of that quarter	Number of insured persons on first day of the second month of that quarter	Number of insured persons on first day of the third month of that quarter	Cell returned benefits for that quarter (€000s)	Cell prescribed benefits for that quarter (€000s)	Cell claim value for that quarter
Age below 1						
Age 1						
And so on						
Age 88						
Age 89						
Age 90 and over						
All cells for that gender and type of cover combined						
All cells for both genders and that type of cover combined						

Form No. 1**PART 2 OF RETURN**

Data for Second Quarter of Period:

Gender: Female

Type of cover:

Returning undertaking:

Cell	Number of insured persons on first day of the first month of that quarter	Number of insured persons on first day of the second month of that quarter	Number of insured persons on first day of the third month of that quarter	Number of insured persons on first day of the next following period	Cell returned benefits for that quarter (€000s)	Cell prescribed benefits for that quarter (€000s)	Cell claim value for that quarter
Age below 1							
Age 1							
And so on							
Age 88							
Age 89							
Age 90 and over							
All cells for that gender and type of cover combined							

Form No. 1**PART 2 OF RETURN (Continued)**

Data for Second Quarter of Period:

Gender: Male

Type of cover:

Returning undertaking:

Cell	Number of insured persons on first day of the first month of that quarter	Number of insured persons on first day of the second month of that quarter	Number of insured persons on first day of the third month of that quarter	Number of insured persons on first day of the next following period	Cell returned benefits for that quarter (€000s)	Cell prescribed benefits for that quarter (€000s)	Cell claim value for that quarter
Age below 1							
Age 1							
And so on							
Age 88							
Age 89							
Age 90 and over							
All cells for that gender and type of cover combined							
All cells for both genders and that type of cover combined							

Form No. 1

Return for the Period Ending as confirmed by:

Name: Name:

*Position: *Position:

Signature: Signature:

Date: Date:

*One of the signatories must be the managing director, the chief executive officer, or the company secretary, of the returning undertaking, or a member of the Board of the returning undertaking, or a person of similar status in relation to the returning undertaking.”.



GIVEN under my Official Seal,
21 December 2011.

JAMES REILLY,
Minister for Health.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This statutory instrument sets out the amended format and contents of the information returns specified in Section 7D of the Health Insurance Acts. The amendments will provide for more detailed returns broken down by type of health insurance cover and by year of age. The data being returned since 2009 have been based on the maximum limits of net provider payments as set out in Schedule 1 of S.I. No. 294 of 2009. In future, the information returns will also include data on all costs incurred during an in-patient stay.

The purpose of the information returns is to enable the Authority to report to the Minister as set out in Section 7E of the Acts and in particular to recommend any changes in the levy and tax credits having considered the need to support the principal objective as specified in the Acts.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)
or through any bookseller.

€3.05

