



Private Health Insurance Legislation Amendment Rules (No. 4) 2020

I, Greta Cranston, delegate of the Minister for Health, make the following Rules.

Dated 29 June 2020

Greta Cranston
A/g Assistant Secretary
Private Health Insurance Branch
Medical Benefits Division
Health Financing Group
Department of Health

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1 Name

This instrument is the *Private Health Insurance Legislation Amendment Rules (No. 4) 2020*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 July 2020.	1 July 2020

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 333-20 of the *Private Health Insurance Act 2007*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments—Minimum accommodation benefits

Private Health Insurance (Benefit Requirement) Rules 2011

1 Clause 2 of Schedule 1 (Table 1)

Repeal the table (including the heading), substitute:

Table 1 – Overnight accommodation for private patients at private hospitals in all States/Territories

Class of patient	Minimum benefit payable per night
Advanced surgical patient	
- first 14 days	\$448
- over 14 days	\$312
Surgical patient or obstetric patient	
- first 14 days	\$415
- over 14 days	\$312
Psychiatric patient	
- first 42 days	\$415
- 43 – 65 days	\$360
- over 65 days	\$312
Rehabilitation patient	
- first 49 days	\$415
- 50 - 65 days	\$360
- over 65 days	\$312
Other patients	
- first 14 days	\$360
- over 14 days	\$312

2 Clause 2 of Schedule 1 (Table 2)

Repeal the table (including the heading), substitute:

Table 2 – Victoria - overnight shared ward accommodation for private patients at public hospitals

Class of patient	Minimum benefit payable per night
Advanced surgical patient	
- first 14 days	\$448
- over 14 days	\$312
Surgical patient or obstetric patient	
- first 14 days	\$415
- over 14 days	\$312
Psychiatric patient	
- first 42 days	\$415
- 43 – 65 days	\$360
- over 65 days	\$312
Rehabilitation patient	
- first 49 days	\$415
- 50 - 65 days	\$360
- over 65 days	\$312
Other patients	
- first 14 days	\$360
- over 14 days	\$312

3 Clause 2 of Schedule 1 (Table 3)

Repeal the table (including the heading), substitute:

Table 3 – Tasmania - overnight shared ward accommodation for private patients at public hospitals

Class of patient	Minimum benefit payable per night
Advanced surgical patient	
- first 14 days	\$438
- over 14 days	\$305
Surgical patient or obstetric patient	
- first 14 days	\$406
- over 14 days	\$305
Psychiatric patient	
- first 42 days	\$406
- 43 – 65 days	\$352
- over 65 days	\$305
Rehabilitation patient	
- first 49 days	\$406
- 50 - 65 days	\$352
- over 65 days	\$305
Other patients	
- first 14 days	\$352
- over 14 days	\$305

4 Subclause 4(3) of Schedule 1

Omit “\$866.60”, substitute “\$879.60”.

5 Subclause 6(3) of Schedule 1

Omit “\$258.05 to \$866.60”, substitute “\$261.90 to \$879.60”.

6 Schedule 2 (heading)

Repeal the heading, substitute:

Schedule 2 - Overnight shared ward accommodation for private patients at public hospitals in the Australian Capital Territory, New South Wales, Northern Territory, Queensland, South Australia and Western Australia

7 Clause 2 of Schedule 2 (Table)

Repeal the table (including the heading), substitute:

Table 1 - Overnight shared ward accommodation for private patients at public hospitals in the Australian Capital Territory, New South Wales, Northern Territory, Queensland, South Australia and Western Australia

State/Territory	Minimum benefit payable per night
Australian Capital Territory	\$370
New South Wales	\$370
Northern Territory	\$370
Queensland	\$379
South Australia	\$370
Western Australia	\$370

8 Clause 2 of Schedule 3 (Table 1)

Repeal the table (including the heading), substitute:

Table 1 - Same-day accommodation for private patients at public hospitals in all States/Territories

Public hospitals	Band 1	Band 2	Band 3	Band 4
NSW	\$268	\$300	\$329	\$370
ACT	\$268	\$300	\$329	\$370
Northern Territory	\$268	\$308	\$355	\$370
Queensland	\$274	\$310	\$339	\$379
South Australia	\$268	\$308	\$338	\$370
Tasmania	\$255	\$304	\$350	\$406
Victoria	\$263	\$312	\$361	\$415
Western Australia	\$305	\$305	\$305	\$305

9 Clause 2 of Schedule 3 (Table 2)

Repeal the table (including the heading), substitute:

Table 2 - Same-day accommodation for private patients at private hospitals in all States/Territories

	Band 1	Band 2	Band 3	Band 4
Private Hospitals	\$232	\$292	\$355	\$415

10 Clause 6 of Schedule 4 (Table 1, table item dealing with Australian Capital Territory, column headed “Minimum benefit per night”)

Omit “\$128.15”, substitute “\$130.70”.

11 Clause 6 of Schedule 4 (Table 1, table item dealing with South Australia, column headed “Minimum benefit per night”)

Omit “\$122.00”, substitute “\$125.00”.

Schedule 2—Amendments—Nursing-home type patient contribution

Private Health Insurance (Complying Products) Rules 2015

1 Subrule 8A(3) (paragraph (a) of the definition of *patient contribution*)

Repeal the paragraph, substitute:

- (a) in relation to a nursing-home type patient at a public hospital, the following amount for the State or Territory in which the hospital is located:
- (i) Australian Capital Territory - \$62.50;
 - (ii) New South Wales - \$62.50;
 - (iii) Northern Territory - \$62.50;
 - (iv) Queensland - \$62.50;
 - (v) South Australia - \$62.50;
 - (vi) Tasmania - \$62.50;
 - (vii) Victoria - \$62.50; and
 - (viii) Western Australia - \$62.50.

Schedule 3—Amendments—Information provided to the Ombudsman

Private Health Insurance (Complying Products) Rules 2015

1 Subrule 14(4)

Repeal the subrule, substitute:

- (4) The insurer must give this information to the Ombudsman before the end of the day that is the later of:
 - (a) 1 February immediately following the day the Minister approved the change;
 - or
 - (b) 20 business days after the day the Minister approved the change.

Schedule 4—Amendments—Second-tier application fee

Private Health Insurance (Health Insurance Business) Rules 2018

1 Subrule 7B

Repeal the subrule (not including the heading), substitute:

For the purposes of paragraph 121-8(2)(b) of the Act, the application fee is \$895 for each hospital that the application seeks to have included in the second-tier eligible hospitals class.