



Private Health Insurance (Risk Equalisation Administration) Amendment Rules 2011 (No. 1)¹

Private Health Insurance Act 2007

The Private Health Insurance Administration Council makes these Rules under subsection 333-25 (1) of the *Private Health Insurance Act 2007*.

Dated 18 March 2011

Lynn Ralph
Commissioner
Private Health Insurance Administration Council

1 Name of Rules

These Rules are the *Private Health Insurance (Risk Equalisation Administration) Amendment Rules 2011 (No. 1)*.

2 Commencement

These Rules commence on the day after they are registered.

3 Amendment of *Private Health Insurance (Risk Equalisation Administration) Rules 2007*

Schedule 1 amends the *Private Health Insurance (Risk Equalisation Administration) Rules 2007*.

Schedule 1 Amendments

(rule 3)

[1] Subrule 3 (3)

omit

[2] Paragraph 4 (b)

substitute

- (b) which of the following the policy covers:
- (i) hospital treatment;
 - (ii) hospital-substitute treatment;
 - (iii) chronic disease management programs;
 - (iv) ambulance service;
 - (v) other general treatment; and

[3] Subparagraph 4 (e) (iii)

substitute

- (iii) whether the benefit was paid for:
- (A) hospital treatment; or
 - (B) hospital-substitute treatment; or
 - (C) chronic disease management program treatment; or
 - (D) ambulance services; or
 - (E) other general treatment; and

[4] Rule 5

omit everything before paragraph (a), insert

- (1) This rule applies if the insurer includes in a quarterly return a gross benefit for the high cost claimants pool.

Note Part 3 sets out the requirements for providing quarterly returns.

- (2) In addition to the information to be kept in accordance with rule 4, the insurer must keep a record that contains the following information in respect of the insured person to whom the gross benefit relates:

[5] Subrule 6 (1)

omit

Council for each fund that it conducts

insert

Council, for each fund that it conducts,

[6] After subrule 6 (4)

insert

- (4A) For the purpose of quarterly returns, a benefit is regarded as being paid during the quarter in which the benefit is recorded and liability for it is accepted.

[7] Subrule 7 (1)

substitute

- (1) Quarterly returns must be:
- (a) given to the Council as electronic data in the form approved by the Council; and
 - (b) accompanied by a signed copy of the certification mentioned in subrule (3) as a PDF file.

Note for paragraph (a) The approved form for paragraph (a) is available at <http://www.phiac.gov.au>.

[8] Subrule 7 (2)

omit

electronic form of the quarterly return

insert

data mentioned in paragraph 1 (a)

[9] Subrule 7 (3), except the note

substitute

- (3) For paragraph 7 (1) (b), an officer of the insurer must certify that the information in the quarterly return is true and correct.

[10] Subrule 7 (4)

substitute

- (4) If an officer is unable to give the certification mentioned in subrule (3), the quarterly return must be accompanied by a statement by an officer of the insurer stating why the certification cannot be provided.

[11] Rule 9

omit

[12] Schedule — Quarterly return

omit

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.