Private Health Insurance Legislation Amendment Rules (No. 5) 2021

I, Brian Kelleher, delegate of the Minister for Health and Aged Care, make the following Rules:

Dated 17 September 2021

Brian Kelleher
Assistant Secretary
Private Health Industry Branch
Medical Benefits Division
Health Resourcing Group
Department of Health

Contents

1 Name

This instrument is the *Private Health Insurance Legislation Amendment Rules (No. 5) 2021*.

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.	20 September 2021.	20 September 2021 S

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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—Nursing-home type patient contribution

Private Health Insurance (Complying Product) Rules 2015

1 Subsection 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 - $63.05;

(ii) New South Wales - $64.05;

(iii) Northern Territory - $63.05;

(iv) Queensland - $64.05;

(v) South Australia - $64.05;

(vi) Tasmania - $64.05;

(vii) Victoria - $64.05; and

(viii) Western Australia - $64.05.

2 Subsection 8A(3) (paragraph (b) of the definition of *patient contribution*)

Omit "$63.05", substitute "$64.05".

Schedule 2—Amendments—Nursing-home type patient minimum accommodation benefit

Private Health Insurance (Benefit Requirements) Rules 2011

1 Clause 6 of Schedule 4 (Table 1, table item dealing with New South Wales, column headed "Minimum benefit per night")

Omit "$134.60", substitute $140.10".

2 Clause 6 of Schedule 4 (Table 1, table item dealing with Queensland, column headed "Minimum benefit per night")

Omit "$135.00", substitute $137.50".

3 Clause 6 of Schedule 4 (Table 1, table item dealing with Tasmania, column headed "Minimum benefit per night")

Omit "$151.30", substitute $153.70".

4 Clause 6 of Schedule 4 (Table 2, table item dealing with Private hospitals, column headed "Minimum benefit per night")

Omit "$48.05", substitute $47.05".

Schedule 3—Amendments—Technical amendments

Private Health Insurance (Complying Product) Rules 2015

1 Rule 4

Omit the definition “***Department*** means the Private Health Insurance Branch of the Department of Health.”.

2 Subrule 5(2) (paragraph (h) of the Insured groups)

Repeal the paragraph, substitute:

(h) only two adults, and at least one non-classified dependent person under the age of 25, dependent child or dependent student;