



**SEANAD ÉIREANN**

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**AN BILLE ÁRACHAIS SLÁINTE (LEASÚ), 2014  
HEALTH INSURANCE (AMENDMENT) BILL 2014**

**LEASUITHE COISTE  
COMMITTEE AMENDMENTS**

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# SEANAD ÉIREANN

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## AN BILLE ÁRACHAIS SLÁINTE (LEASÚ), 2014 —AN COISTE

### HEALTH INSURANCE (AMENDMENT) BILL 2014 —COMMITTEE STAGE

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*Leasuithe  
Amendments*

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#### SECTION 2

1. In page 4, between lines 31 and 32, to insert the following:

“(3) From a date not later than 1 May, 2015 the State will be compliant with the ruling in the ECJ case 82/10 on 29 September, 2011 and will apply to all insurance undertakings on a non-discriminatory basis European Insurance legislation in its entirety and particularly Articles 6, 8, 9, 13 and 15 to 17 and amending directives 73/239 and 88/357 as amended by Directive 2005/68 and is also compliant with the subsequent letter of Formal Notice related to this decision issued on 27 February, 2012.”.

—*Senator Sean D. Barrett.*

#### SECTION 4

2. In page 4, after line 42, to insert the following:

##### **“Insertion of new section 7I to Principal Act**

4. To insert a new section, after section 7H, of the Principal Act:

“**7I.** Any medication which is available to a public patient, and is approved by the National Center for Pharmaeconomics, and is deemed necessary for treatment of a patient by a medical practitioner, must also be made available to those patients who hold a health insurance contract, the cost of which will be borne by the health benefits undertaking with whom the patient holds a health insurance contract.”.

—*Senator John Crown.*

3. In page 4, after line 42, to insert the following:

##### **“Insertion of new section 7I to Principal Act**

4. To insert a new section, after section 7H, of the Principal Act:

“**7I.** Any health benefits undertaking may, if they decide that it is in their commercial interest, reduce the premium offered to any individual who avoids behaviours which are known to have negative health effects.”.

—*Senator John Crown.*

[SECTION 6]

SECTION 6

4. In page 6, between lines 9 and 10, to insert the following:

**“Amendment of section 21 of Principal Act**

6. To insert a new subsection after subsection (1) of section 21 of the Principal Act:

“(2) To analyse and review the health insurance contracts which are offered by the various health insurance undertakings to ensure that there exists no anti-competitive behaviour in the market place, and to notify the Minister, and the Competition Authority, if they form the opinion that any such, or any other cartel-like behaviours are likely to be present in the health insurance contract market.”.

—*Senator John Crown.*

5. In page 6, between lines 9 and 10, to insert the following:

**“Amendment of section 21 of Principal Act**

6. To insert a new subsection after subsection (1) of section 21 of the Principal Act:

“(2) Where a complaint is made to the Authority by a medical practitioner, to review whether any changes in coding, or payments structures, used by any health insurance undertaking, has the effect of restricting access to care for those who have health insurance contracts, or whether such changes result in services no longer being provided outside of the public system, and to notify the Minister, and the Competition Authority, if they form the opinion that any such change is likely to have such a consequence in the health insurance contract market.”.

—*Senator John Crown.*

6. In page 6, between lines 18 and 19, to insert the following:

“(4) In prescribing the maximum payments in *subsection (1)* the Minister shall have regard to average length of stay in hospitals, utilization management, medically unnecessary admissions, and other excessive costs unrelated to ageing as noted in the Milliman Report (2010).”.

—*Senator Sean D. Barrett.*

SECTION 7

7. In page 9, between lines 33 and 34, to insert the following:

“(3) The premiums in column 2 shall be reviewed annually by the Head of Financial Regulation of the Central Bank of Ireland.”.

—*Senator Sean D. Barrett.*

[TITLE]

TITLE

**8.** In page 3, line 13, after “1999;” to insert the following:

“to ensure equal market competition for insurance providers including the State-owned provider, the Voluntary Health Insurance Board;”.

—*Senator Sean D. Barrett.*