



An Bille Árachais Sláinte (Mic Léinn Idirnáisiúnta) (Leasú), 2021
Health Insurance (International Students) (Amendment) Bill 2021

Mar a tionscnaíodh

As initiated



AN BILLE ÁRACHAIS SLÁINTE (MIC LÉINN IDIRNÁISIÚNTA) (LEASÚ), 2021
HEALTH INSURANCE (INTERNATIONAL STUDENTS) (AMENDMENT) BILL 2021

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AN BILLE ÁRACHAIS SLÁINTE (MIC LÉINN IDIRNÁISIÚNTA) (LEASÚ), 2021
HEALTH INSURANCE (INTERNATIONAL STUDENTS) (AMENDMENT) BILL 2021

Bill

entitled

An Act to amend the Health Insurance Act 1994 (as amended) to introduce a new definition of a health insurance contract to that contained in section 2 of the Principal Act so as to exclude international students who are not ordinarily resident in Ireland; and to provide for related matters.

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Be it enacted by the Oireachtas as follows:

Definition

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1. In this Act, “Principal Act” means the Health Insurance Act 1994.

Amendment of section 2(1) of Principal Act

2. Section 2 of the Principal Act is amended in subsection (1)—

- (a) by the substitution the following for the definition of “health insurance contract”—

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“ ‘health insurance contract’ means, without prejudice to section 2A, a contract of insurance, or any other insurance arrangement, the purpose or one of the purposes of which is to provide for the making of payments by an undertaking, whether or not in conjunction with other payments, specifically for the reimbursement or discharge in whole or in part of fees or charges in respect of the provision of hospital in-patient services or relevant health services, but does not include—

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- (a) a contract of insurance, or any other insurance arrangement, the sole purpose of which is to provide for the making of payments, directly to the person who effected the contract or entered into the arrangement or to any of the persons named in the contract or the arrangement, by an undertaking in respect of sickness, injury or disease of amounts calculated by reference only to the duration of—

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- (i) the sickness, injury or disease, or

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- (ii) the treatment of the sickness, injury or disease,

- (b) a contract of insurance, or any other insurance arrangement, the

sole purpose of which is to provide for the making of payments by an undertaking, to or on behalf of a dependent person (within the meaning of the Health (Nursing Homes) Act 1990), in respect of the provision, other than as hospital in-patient services, of nursing care to such a person,

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(c) a contract of insurance, or any other insurance arrangement, the purpose of which is to provide for the making of payments specifically for the reimbursement or discharge of fees or charges in respect of the provision of hospital in-patient services or relevant health services to persons or any dependants of any of them and one of the following conditions is satisfied—

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(i) neither the said persons nor any such dependants are ordinarily resident in the State, or

(ii) where any of the persons to whom the said contract or arrangement relates are temporarily resident in the State during the subsistence of the said contract or arrangement—

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(I) those persons are so resident solely for the purpose of carrying out their duties as employees, and

(II) those persons constitute not more than—

(A) 20 per cent of the total number of persons (other than dependants of them) to whom the said contract or arrangement relates, and

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(B) 20 of the total number of persons employed in the State by the one person,

or

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(d) a contract of insurance which is an international student health insurance contract;”,

and

(b) by the insertion of the following definitions—

“ ‘international student’ means—

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(a) a person who is in the State for the purposes of study for a period of 90 days or less,

(b) a person who has a ‘stamp 2’ or ‘stamp 2A’ permission to remain in the State granted by the Irish Naturalisation and Immigration Service, or such other immigration stamp or permission as may be designated by the Minister for Justice as relating to studying in the State,

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(c) a person who is temporarily resident in the State for the purposes of study, and—

(i) is required to register with the Irish Naturalisation and Immigration Service following their arrival in the State and who

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- reasonably expects to obtain a residency permission stamp to remain in the State, or
- (ii) is a non-EEA national who is not required to register with the Irish Naturalisation and Immigration Service,
- or 5
- (d) a person who:
- (i) was previously issued with a residency permission stamp as described in paragraph (b) above; and
- (ii) is now resident in the State as a graduate with residency permission 'stamp 1G' or such other immigration stamp or permission as may be designated by the Minister for Justice as relating to graduate job seekers in the State; 10
- 'international student health insurance contract' means, without prejudice to section 2A, a contract of insurance, or any other insurance arrangement, the purpose or one of the purposes of which is to provide for the making of payments by an undertaking, whether or not in conjunction with other payments, specifically for the reimbursement or discharge in whole or in part of fees or charges in respect of the provision of hospital in patient services incurred by an international student, or by a dependant of the international student;". 15 20

Short title, collective citation, construction and commencement

3. (1) This Act may be cited as the Health Insurance (International Students) (Amendment) Act 2021.
- (2) The Health Insurance Acts 1994 to 2020 and this Act may be cited together as the Health Insurance Acts 1994 to 2021 and shall be construed together as one Act. 25
- (3) This Act shall come into operation on the day immediately following the date of its passing.

An Bille Árachais Sláinte (Mic Léinn
Idirnáisiúnta) (Leasú), 2021

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú an Achta Árachais Sláinte, 1994 (arna leasú) chun míniú nua ar chonradh árachais sláinte a thabhairt isteach in ionad an mhínithe atá in alt 2 den Phríomh-Acht d'fhonn mic léinn idirnáisiúnta nach bhfuil gnáthchónaí orthu in Éirinn a eisiamh; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Na Seanadóirí Maolchólm Ó Broin, Lisa Nic Ambróis agus Séan Ó Caisealáin a thug isteach,

5 Márta, 2021

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(Amendment) Bill 2021

BILL

(as initiated)

entitled

An Act to amend the Health Insurance Act 1994 (as amended) to introduce a new definition of a health insurance contract to that contained in section 2 of the Principal Act so as to exclude international students who are not ordinarily resident in Ireland; and to provide for related matters.

Introduced by Senators Malcolm Byrne, Lisa Chambers and Shane Cassells,

5th March, 2021

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
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