

**Joint Committee on Health**  
**Opening Statement - Health (Miscellaneous Provisions) Bill 2023**

**Paul Flanagan, Principal Officer, Department of Health**

**Wednesday 8th November 2023**

**Introduction**

Good morning Chairperson and Members of the Committee. I thank the Committee for the invitation to discuss the General Scheme of the Health (Miscellaneous Provisions) Bill 2023.

I am a Principal Officer in the Primary Care Performance and Oversight Division of the Department of Health and I am joined by my colleagues Ms Anne Marie Seymour, Principal Officer in the Medicines, Controlled Drugs and Pharmacy Legislation Unit of the Department, Ms Adedolapo Odukoya, Assistant Principal and Ms Bevin Doyle, Assistant Principal.

**Background**

I would like to outline the background and rationale behind this draft legislation, before briefly addressing some of its main provisions. The General Scheme of the Health (Miscellaneous Provisions) Bill 2023 consists of two main parts:

The purpose of part one of the Bill is to provide for an exemption of Rent-a-Room income of up to €14,000 per annum to be disregarded from the medical card and GP visit card income assessment process. The second purpose is to provide for an amendment of current legislation to enhance the Minister for Health's power to make regulations for the management of and access to medicinal products.

**Part One: Amendments to the Health Act 1970**

Housing For All - a New Housing Plan for Ireland is the Government's housing policy to 2030. The plan's overall objective is to ensure that everyone in the State has access to a home to purchase or rent at an affordable price, built to a high standard and in the right place, offering a high quality of life. Action 17.1 of Housing for All commits to removing *"potential barriers to use of the rent a room scheme to increase its potential as a source of student accommodation by reviewing the assessment of Rent a Room Income within the Medical Card assessment process."*

Rent a Room tax relief is a measure put in place by the Revenue Commissioners in 2001 to increase the availability of accommodation for rent in the State. The relief allows participants on the scheme to earn up to €14,000 per year tax-free if they rent out a room (or rooms) in their home for use as accommodation by others.

Separately, eligibility for a medical card is primarily based on residency and a financial assessment which is conducted by the Health Service Executive (HSE) in accordance with the Health Act 1970. The HSE assesses each application on a qualifying financial threshold. This is the amount of money that an individual can earn per week and still qualify for a card. The HSE Medical Card Assessment Guidelines outline certain incomes that are not included within the assessment process, primarily social welfare payments and some compensation payments that can be disregarded. At present, income derived from the Rent a Room Scheme would be assessed under Medical Card assessment. In such cases, this

income will be a contributing factor, along with other income and expenses, as to whether a person qualifies for a medical card.

The objective of Government is to provide for a disregard of up to €14,000 income for persons who have been granted Rent a Room relief by the Revenue Commissioners such that the income will not be assessed within the medical card assessment process. In this context, the Rent a Room scheme may have some potential to assist in addressing the shortage of accommodation in the State by making more efficient use of housing stock to stimulate supply for both students and other renters.

**Part Two: Amendments to Section 32 of the Irish Medicines Board Act 1995, to make further provision for the regulation of management of and access to medicinal products.**

The Department of Health is committed to expanding the role of pharmacists in the State, to enhance access to services and reduce pressures across health services. Expanding the scope of pharmacy practice aligns with the principles of Sláintecare - delivering the right care in the right place at the right time and offers opportunity to alleviate pressures across the health service, particularly in primary care, and make care more accessible closer to home.

Pharmacists are health care professionals who are expert in the use and management of medicines. They were, and continue to be, an essential part of the response to COVID-19 and have been playing an expanded role in the delivery of seasonal influenza vaccinations for some years now. There are various strands of work underway in the Department to build on the increasing contribution of Pharmacists to health service provision and to further optimize the scope of this profession.

Committee members will be aware that shortages of medicinal products have become a problem in recent years. Ireland is not unique in this regard and many other countries face similar challenges. Ireland is heavily involved in the many European work programmes aimed at preventing and mitigating the impact of shortages. At a national level the Department is working with stakeholders to put in place a protocol for the management of shortages of medicinal products, governed by regulations.

The Department of Health has been advised that an amendment to S32 of the IMB Act could be made to enable pharmacists to sell and supply approved medicines without the need for a prescription. The proposal will not confer prescribing powers on Pharmacists but clarifies that registered Pharmacists are a class of person for whom the Minister may make specific regulations, pursuant to the Minister's existing power under Section 32 of the 1995 Act to make regulations for the prohibition of, or exceptions to the prohibition of, the sale and supply of medicinal products.

**Government Approval and Publication of the General Scheme**

Following preliminary drafting work undertaken by officials in the Department to progress these objectives, the Minister for Health recently received Government approval to publish the General Scheme of the Health (Miscellaneous Provisions) Bill 2023. This Bill is also on the Government's Autumn Legislative Programme 2023 and it is intended to progress the Bill for priority publication in the current Oireachtas session.

Following publication of the General Scheme, officials from the Department of Health are now working with the Office of the Attorney General to progress priority drafting of the legislation, subject to finalising a position on Pre-Legislative Scrutiny (PLS). In this context, officials from the Department of

Health will continue to engage with colleagues in the Department of Housing, Local Government and Heritage and the Department of Further and Higher Education, Research, Innovation and Science regarding the Rent a Room component as the legislation is further developed and finalized.

### **Conclusion**

In conclusion, a core purpose of the Health (Miscellaneous Provisions) Bill is to deliver on Government's policy objective to disregard Rent a Room income (up to €14,000 per annum) for the purpose of medical card eligibility. It must be noted also that, on the 29<sup>th</sup> March this year, the Dáil passed a motion which included the commitment to extend the disregard as follows: *"the Government will extend the Rent a Room scheme disregard for social welfare recipients and extend the disregard into medical card criteria"*.

This Bill will also ensure that regulations to manage medicines shortages, and to support current and expanded activity by Pharmacists, can be put in place.

Given the core objectives represent positive actions intended to benefit students, renters, patients and families, especially in the context of the current cost of living crisis and existing accommodation challenges being experienced by the State, it is hoped to publish and enact the legislation as soon as possible to ensure early and timely implementation.

I thank the committee for giving its time today and we look forward to the opportunity to further discuss the proposals.

Thank you.

**Ends.**