



BERMUDA

HEALTH INSURANCE (APPROVED SCHEME) REGULATIONS 1971

SR&O 5 / 1971

made under sections 26 and 40 of the Health Insurance Act 1970 and brought into operation on 6 February 1971

[NB Formerly the Hospital Insurance (Approved Scheme) Regulations 1971. Title amended, and references to "hospital insurance", "Hospital Insurance Fund" and "Commission" substituted by "health insurance", "Health Insurance Fund" and "Council" by 2004:22 s.19 & Sch para 2 effective 1 January 2006; references to "standard hospital benefit" substituted by "standard health benefit" by 2015 : 26 s. 10 effective 29 June 2015. These amendments are not individually noted.]

Interpretation

1 In these Regulations "the Act" means the Health Insurance Act 1970.

Minimum number of employees required

2 (1) The minimum number of employees required by any employer before he shall be entitled to discharge his obligations under section 20 of the Act by means of an approved scheme in pursuance of section 26 of the Act shall be one hundred.

(2) But the Council may, in any particular case where it considers it appropriate to do so, renew approval of a scheme which applies to less than one hundred employees.

[Regulation 2 amended by 2012 : 14 s. 13 effective 1 August 2012; paragraph (2) amended by 2015 : 26 s. 8 effective 29 June 2015]

Form of application

3 An application for renewal of approval by the Council of a scheme shall be in the form set in the Schedule to these Regulations.

[Regulation 3 amended by 2012 : 14 s. 13 effective 1 August 2012; amended by 2015 : 26 s. 8 effective 29 June 2015]

HEALTH INSURANCE (APPROVED SCHEME) REGULATIONS 1971

Fee

4 (1) Subject to paragraph (4), the applicant for renewal of approval under regulation 3 shall pay to the Council, before the approval is renewed—

- (a) where the scheme falls in band A, an approval fee of \$12,500;
- (b) where the scheme falls in band B, an approval fee of \$37,500;
- (c) where the scheme falls in band C, an approval fee of \$62,500;
- (d) where the scheme falls in band D, an approval fee of \$87,500;
- (e) where the scheme falls in band E, an approval fee of \$112,500;
- (f) where the scheme falls in band F, an approval fee of \$137,500;
- (g) where the scheme falls in band G, an approval fee of \$162,500;
- (h) where the scheme falls in band H, an approval fee of \$187,500.

(2) For the purposes of paragraph (1), a scheme falls—

- (a) in band A, where the annual gross premium is less than \$25 million;
- (b) in band B, where the annual gross premium is \$25 million or more but less than \$50 million;
- (c) in band C, where the annual gross premium is \$50 million or more but less than \$75 million;
- (d) in band D, where the annual gross premium is \$75 million or more but less than \$100 million;
- (e) in band E, where the annual gross premium is \$100 million or more but less than \$125 million;
- (f) in band F, where the annual gross premium is \$125 million or more but less than \$150 million;
- (g) in band G, where the annual gross premium is \$150 million or more but less than \$175 million;
- (h) in band H, where the annual gross premium is more than \$175 million.

(3) In paragraph (2), “annual gross premium” means the gross premium written in respect of the scheme in the twelve months preceding the date of renewal of the approval.

(4) In accordance with section 26(2B) of the Act, the Government (in respect of any renewal of approval of the health insurance scheme for government employees under the Government Employees (Health Insurance) Act 1986) is exempt from paying the approval fee.

[Regulation 4 amended by BR 15/1991 effective 1 April 1991; by BR 14/1994 effective 1 April 1994; by BR 52/1998 effective 1 July 1998; amended by 2012 : 14 s. 13 effective 1 August 2012; Regulation 4 revoked and substituted by 2017 : 46 s. 5 effective 20 December 2017]

HEALTH INSURANCE (APPROVED SCHEME) REGULATIONS 1971

SCHEDULE

Application for Approval of a Scheme

Name of employer:

Place of business in Bermuda:

Nature of business:

Number of employees:

Benefits provided under the scheme in excess of standard health benefit:

Are benefits provided under the scheme in respect of hospital treatment outside Bermuda:

Amount, if any, to be deducted per month from remuneration payable to employee:

Does the scheme give an employee the option of receiving cover for standard health benefit only on deduction therefor of not more than one half of the amount of the standard premium:

Notes:

1. *[deleted]*

2. If the application is for the renewal of a licence, this form must be submitted to the Council together with—

- (a) financial statements (a balance sheet and income statement) of the health scheme for the most recent fiscal year, signed by a senior financial officer of the company or organisation sponsoring the scheme;
- (b) a completed Bermuda Health Council Annual Health Insurance Return for the period 1 April in any given year to 31 March in the following year, setting out such statistical data as the Council may require, including (but not limited to)—
 - (i) the number of persons insured;
 - (ii) the value and number of claims paid; and
 - (iii) the total value of premiums collected;
- (c) a statement from the applicant's auditors verifying—
 - (i) the number of individual persons eligible for standard health benefit under the approved scheme; and

HEALTH INSURANCE (APPROVED SCHEME) REGULATIONS 1971

- (ii) the related premium amounts paid to the Mutual Reinsurance Fund by the approved scheme during the most recent fiscal year ending 31 March;
- (d) the total number of persons insured for benefits supplemental to standard health benefit as at 31 March in any given year;
- (e) a copy of the schedule of benefits notice provided to the employer and other persons covered under the scheme;
- (f) a copy of the contract of surety, required by section 26(3) of the Act, purchased to guarantee an approved scheme's obligations to pay claims;
- (g) any other relevant information required by the Council for the purposes of health system analysis, planning and management.

[Schedule amended by 2002:26 s.3(2) effective 1 August 2005; amended by 2009:49 s.15(4) effective 15 December 2009; Schedule Notes substituted by 2012 : 14 s. 13 effective 1 August 2012; amended by 2015 : 26 s. 8 effective 29 June 2015]

[Amended by:

1981 : 37
BR 15 / 1979
BR 16 / 1986
BR 15 / 1991
BR 14 / 1994
BR 52 / 1998
2002 : 26
2004 : 22
2009 : 49
2012 : 14
2015 : 26
2017 : 46]