

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH AND AGEING PORTFOLIO

Additional Estimates 2010-2011, 23 February 2011

Question: E11-050

OUTCOME 3: Access to Medical Services

Topic: RECIPROCAL HEALTH CARE AGREEMENTS

Written Question on Notice

Senator Cash asked:

I am advised that until 1998 410 retirement visa holders (holders of visa subclass 410) who were from countries which had reciprocal health care agreements with Australia were eligible for reciprocal Medicare benefits. However, in 1998 the Department of Health asked the Attorney-General for a determination as to the residency status of 410 visa holders and their eligibility for reciprocal Medicare benefits.

I am further advised that the Attorney-General determined that 410 visa holders are deemed to be no longer residents in their countries of origin, and therefore visa holders who are citizens of countries which have a reciprocal health care agreement with Australia are no longer eligible for reciprocal Medicare benefits.

- a) What were the circumstances of the case referred by the Department of Health which led the Attorney-General to make the determination disallowing eligibility?
- b) Did the circumstances relate to one specific case only?
- c) What was the full text of the 1998 determination received by the Department from the Attorney-General?
- d) Has the Department made any request since 1998 for any similar determination from the Attorney-General for any other class of temporary visa?
- e) Are 457 (Business – Long Stay) visa holders eligible for reciprocal Medicare benefits?
- f) Are 457 (Business – Long Stay) visa holders deemed by the Attorney-General to be still resident in their countries of origin?
- g) Are parent visa applicants, whether on bridging visas or on 410 visas, eligible for reciprocal Medicare benefits?
- h) Are parent visa applicants, whether on bridging visas or on 410 visas, deemed by the Attorney-General to be still resident in their countries of origin?
- i) Are any other temporary visa holders, other than 410 visa holders, considered to be no longer resident in their home countries? If so, which visa holders are so classified?
- j) Has any similar determination been made by the Attorney-General, or any request for any similar determination made to the Attorney-General, for any other class of temporary visa since 1998?

Answer:

- a) The Attorney-General did not make a 'determination' to disallow eligibility for 410 visa holders. The Department of Health and Ageing has policy responsibility for these matters and it was decided in 1998 that 410 visa holders were not eligible for Medicare under reciprocal health care agreements (RHCA's). This decision was based on the view that retiree visa holders, by virtue of their intention to reside permanently in Australia, are no longer resident in their home countries and therefore not eligible under a relevant RHCA.
- b) The Department considered the usual circumstances of all 410 visa holders, prompted by a particular case, in making this decision.
- c) No determination was made by the Attorney-General.
- d) No.
- e) Yes. Holders of Temporary Business (Long Stay) - Standard Business Sponsorship (Subclass 457) are eligible for health care under the terms of the relevant RHCA.
- f) The Attorney-General has not been asked for advice.
- g) Yes.
- h) The Attorney-General has not been asked for advice.
- i) Yes. The conditions applying to 410 visa holders also apply to holders of the Investor Retirement (Subclass 405) visa.
- j) No.