

Information Statement

Public Authority: Health Insurance Committee

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Introduction to Your Rights under Public Access to Information

This document is the Information statement for the Health Insurance Committee (the Committee). In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement. The Committee is established and governed by legislation under the Ministry responsible for Health.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority, unless it is exempt. Several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. All exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [for more information see sections 21 to 40, PATI Act]. In addition every person has a right to amend their personal information if it is incomplete, incorrect or misleading [s19, PATI Act].

How to make a request

Requests for information, or to amend your personal information, must be in writing using the application form, and submitted to the Ministry Information Officer. See Section G for how to make a request including the documents needed, record specificity, contact information and process timelines.

Key, including definitions

- Committee means Health Insurance Committee
- HIA means Health Insurance Act 1970
- Ministry means the Ministry of Health and Seniors
- PATI means Public Access To Information
- [] Square brackets, refer to sections of the PATI Act, unless another Act is indicated

Section A: Structure, Organization and Governing Legislation [s5(1)a]

Insert structure of Authority (a chart – if helpful, and some explanatory text):

Health Insurance Act (section 11A)

1. The Health Insurance Committee is established under the Health Insurance Act. Subject to any general directions of the Minister, the Committee has the powers conferred, and discharges the duties imposed, upon it by or under the Act.
2. The Committee consists of 8 members [Section 11A(2), Health Insurance Act 1970] —
 - a) the Permanent Secretary responsible for health as the Chairperson;
 - b) the Financial Secretary as the Deputy Chairperson;
 - c) the Chief Medical Officer;
 - d) the Permanent Secretary responsible for financial assistance;
 - e) the Chief Executive Officer of the Bermuda Health Council;
 - f) the public officer responsible for health insurance
 - g) two persons (who are not public officers) appointed by the Minister—
 - one who has experience in the medical profession; and
 - the other who has experience and good standing in the health insurance sector of the insurance industry in Bermuda.

For the list of current members, please see the Government website at: <https://www.gov.bm/government-boards-and-committees> then select current Boards and Committees and then search for the Health Insurance Committee.

Insert governing Legislation:

- **Health Insurance Act 1970** – The Health Insurance Act establishes the Committee that governs the Health Insurance Department.
- **Bermuda Health Council Act 2004** – This legislation governs the Committee

Section B1: Legislated Functions, Powers, Duties of the Authority [s5(1)b]

Insert power, duties and function of the authority (cite Act or Policy):

Detailed functions of the Committee [s11C, HIA]

The functions of the Committee are—

- a) to manage the Health Insurance Plan and the FutureCare Plan;
- b) to receive claims submitted by or on behalf of insured persons in respect of payments to be made out of the Health Insurance Fund, the FutureCare Fund and the Mutual Re-Insurance Fund (“the Funds”);
- c) to investigate and decide on such claims;
- d) to authorize the payment of claims which have been approved by it;
- e) to manage and keep under constant review the state of the Funds;
- f) to keep under constant review, and advise the Minister regarding, the payment of subsidies under sections 2 and 3;
- g) to make recommendations to the Minister in respect of matters concerning the Funds; and
- h) to perform such other functions as may be assigned to it by or under this Act or by the Minister.

Section B2: Obligations under PATI Act [s5(1)b]

(Same for all public authorities)

To provide an **information statement** for the public and promulgate it [s5],

1. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
 - General information, e.g. activities of the Authority
 - Log of all information requests and their outcome
 - Quarterly expenditure (upon request) [s6(5)]
 - Contracts valued at \$50,000 or more.
2. To **respond to information requests** in a timely manner [s12-16]
3. To **track information requests**, and provide this data to the Information Commissioner
4. To respond to requests from the Information Commissioner [s9]
5. To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
6. To conduct an **internal review** if formally requested [part 5]
7. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
8. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58 (3)].
9. **To do anything else as required** under the PATI Act and subsequent Regulations [s59, 60], including:
 - **Fees** for Requests for information
 - Management and maintenance of **records**
 - **Procedures** for administering the Act
10. To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
11. To **designate one of its officers** to be the person to whom requests are directed [s62]

Section C: Services and Programmes [s5(1)c]

Insert a summary of services and programmes provided by the authority:

Services & Programmes are not applicable, but see functions listed in section B1

Section D: Records held [s5(1)d]

List and describe the classes of records held by the authority:

1. *Committee Minutes.* (2010 to date). (Public Access). Contains decision making resolutions.

Section E: Administration manuals [s5(1)e]

Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:

1. *Government of Bermuda Financial Instructions.* (31 March 2013). (Public Access) Circulated by the Accountant General to all government ministries and departments.

2. *Bermuda Government Procurement Manuals*. (various). (Public Access) Information circulated by the Central Policy Unit to promote procurement vigilance within the public service.

Section F: Decision-making documents [s5(1)f]

Insert list and description of all policies and guidelines for decision making in respect to any person. Note "person" includes any company or association or body of persons, whether corporate or unincorporate; [Interpretation Act, 1951]

1. *Health Insurance Act*. (1970). (Public Access). The main Act providing policy direction
2. *Bermuda Health Council Act*. (2004). (Public Access). Governs the HIA, the Committee and the Health Insurance Department
3. *Policy Papers*. (last 8 years). Presented to the Committee by the Health Insurance Department proposing administrative improvements to the running of the Health Insurance Plan and FutureCare Plan and/or the health care industry
4. *Claims Appeals*. (various dates). Regards questions and issues raised on the execution of the Health Insurance Plan and FutureCare Plan

Section G: How to Contact the Information officer and Make a Request [s5(1)g and (h)]

Insert process, name and contact information:

How to make a request for information, or to amend your personal information

Requests must be made using the application form and submitted in person to the Information Officer. You must also provide Government-issued identification to prove that you are a Bermudian or a resident of Bermuda, such as a passport or Bermuda driver's license. The process and application form are located at: <https://www.gov.bm/online-services/make-pati-request>

A request must identify the record, the subject and time period. Requests should specify the manner in which access is preferred, for example by inspection or by copy. There is a fee charged for reproducing materials (see list of fees on the PATI website at: <https://www.gov.bm/pati-service-fees>).

Your request will be acknowledged within 5 days. The Public Authority has 6 weeks to make a decision regarding the request. Access to the record may be provided in full, in part or denied. If you are not satisfied with the outcome you may appeal the decision via several mechanisms: an Internal Review by the head of the Authority, an External Review by the Information Commissioner, and a Judicial Review in the Supreme Court. These processes are described on the PATI website (<https://www.gov.bm/public-access-information-pati>).

Contact

PATI Information Officer,
Ms. Rhonda Allen
Ministry of Health and Seniors
Health Insurance Department
Re: *Health Insurance Committee*

Hand deliver to	2 nd Floor, Sofia House, 48 Church Street, Hamilton
Mail*	P.O. Box HM 2160, Hamilton HM CX, Bermuda
Email*	rvallen@gov.bm
Telephone	295-9210

* Note requests for information will only be accepted for submissions made in-person so as to verify the requestor's identity.

Section H: Further Information [s5(1)h]

Insert any other information that you think might be useful for the public to know, so as to decrease requests for information [s6]:

1. **About us** is available on the government website at: <http://www.gov.bm> then select Ministry of Health from the pull down menu; then select Health Insurance Committee.
2. **Fees and Remuneration:** There are no fees for services paid to the Committee, however the remuneration of board members for service is governed by the following legislation:
 - Government Authorities (Fees) Act, 1971. The Act governs the remuneration of body members for services. In brief: the Chair receives \$100, and other members receive \$50, per meeting. Public Officers receive no monies.
3. **Annual Budget:** The Committee has no budget *per se*. The budget for the Department is referenced in the Department's information statement.
4. The **legislation** listed in this document may be found at Bermuda Laws Online www.bermudalaws.bm.

Section I: Other Information (as prescribed) [s5(1)i]

At Dec 2016 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:

1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)]. Note for this authority, there is no power to enter into any contracts.
3. **Expenditure:** Quarterly expenditure will be provided upon request. Other than remuneration to members for attending meetings, as described in section H above, the Authority has no expenses.
4. **Salaries:** The Minister responsible for PATI shall publish a list of title and salary range of every post of public officers [s6(6)].

Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times at [s5(2-5), PATI Act]:

Locations of Information Statement (*Confirm copies of Information Statement are available at*):

- Office: Sofia House, 48 Church Street, Hamilton HM 12 Y
- The Bermuda National Library Y
- The Bermuda Archives Y
- Available electronically at:
 - PATI website <https://www.gov.bm/public-access-information-pati> Y
 - Authority's website – there is no website for the authority n/a
- With the Information Commissioner Y

Have you published a notice in the Gazette indicating the places where the information Statement is available for the public? Y

Date Information Statement was updated:

Date: 1st November 2016

Sign:


~~Jennifer Attridge-Stirling~~ Shivan Washington
aChair, Health Insurance Committee 22/12/16.

Name:

Post:

Ends