

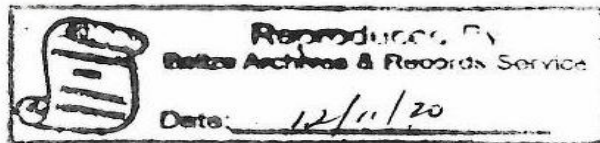
SOCIAL SECURITY (AMENDMENT) ACT, 2001

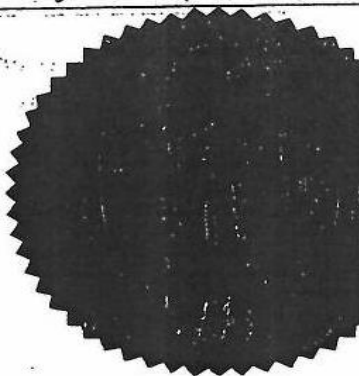
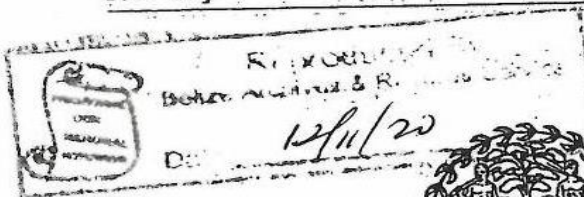
No. 31 of 2001

ARRANGEMENT OF SECTIONS

1. Short title
2. Addition of Part VI
- “69. Interpretation
70. Establishment of NHI Scheme
71. Contributions
72. Enrolment and identification
73. Services and access to same
74. NHI Fund-Financial
75. NHI Committee
76. Registration of NHI health care providers
77. Grievances
78. Regulations.”
3. Amendment of Second Schedule
4. Commencement

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No. 31 of 2001

Be it enacted by a true and correct copy of the original deposited in the General Registry: Given under the Seal of the Supreme Court, at Belize, this 11th day of September 2001.

[Signature]
Registrar General

I assent,

[Signature]
Governor-General

31st August, 2001

AN ACT to amend the Social Security Act, Chapter 44 of the Laws of Belize, Revised Edition 2000, to provide for a National Health Insurance Scheme; to expand the composition of the Social Security Board; and to provide for matters connected therewith or incidental thereto.

(Gazetted _____, 2001.)

BE IT ENACTED, by and with the advice and consent of the House of Representatives and the Senate of Belize and by the authority of the same, as follows:

- 1. This Act may be cited as the

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SOCIAL SECURITY (AMENDMENT) ACT, 2001.

CAP. 44.

and shall be read and construed as one with the Social Security Act which, is hereinafter referred to as the principal Act.

Addition of Part VI.

2. The principal Act is hereby amended by adding the following as new Part VI immediately after section 68 of Part V:

PART VI

NATIONAL HEALTH INSURANCE SCHEME

Interpretation.

69 In this Part, unless the context otherwise requires,

“beneficiary” means a person who is enrolled in the NHI Scheme and has been issued with a NHI identification card pursuant to section 72 of this Act;

“diagnostic procedure” means any procedure to identify a disease or illness condition using analysis and examination;

“enrolment” means the process of enlisting persons as NHI beneficiaries under section 72;

“insurable employment” includes self-employed persons and any employment specified in Part 1 of the First Schedule;

First Schedule.

“indigent” means a person who has no visible means of income, or whose income is insufficient for the subsistence of his family, as determined by the Board and based on specific criteria set by the Board;

“NHI” means National Health Insurance;

“NHI contribution” means a monetary sum paid by an employee, employer, self-employed person or, in the case of indigents, the Government, for NHI coverage in accordance with this Part; and “NHI contributor” shall be construed accordingly;

“NHI Fund” means the NHI Fund established under section 74;

“NHI health care services” means health care services offered under the NHI Scheme to beneficiaries;

“NHI health care provider” or “health care provider” means a health care professional or medical practitioner or health care institution duly contracted to provide health care and related services to beneficiaries;

“NHI Scheme” means the National Health Insurance Scheme established under section 70 of this Part;

“treatment procedure” means any effective method to treat and remove or reduce the cause and symptoms of illness and disease.

Establishment
of NHI
Scheme.

70(1) There is hereby established a National Health Insurance Scheme hereinafter

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referred to as the "NHI Scheme" which shall be a financing and purchasing mechanism for ensuring affordable and acceptable health care services to all NHI beneficiaries in accordance with the provisions of this Part.

- (2) The Board shall appoint a fit and proper person to be the Manager of the NHI Scheme.

Contributions. 71. (1) Subject to the provisions of this section, all persons who are -

- (a) in insurable employment;
- (b) employers of persons in insurable employment;
- (c) self-employed; or
- (d) retired persons in receipt of a pension or annuity;

may be required by the Board with the approval of the Minister to pay contributions towards the NHI Scheme by regulations made under this Act.

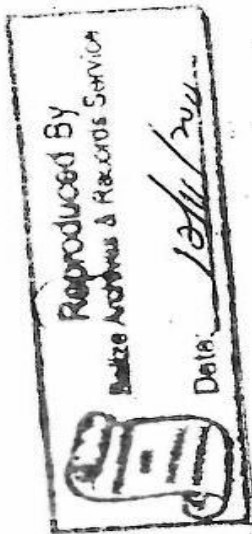
- (2) Where contributions are levied under subsection (1) above, the contributions for the following categories of persons shall be paid on their behalf by the Government:

- (i) indigents; and

(ii) retired persons whose only source of income is a pension or annuity not exceeding \$5,000.00 per annum or such other sum as the Minister may from time to time prescribe, provided that such contribution shall not exceed the minimum contribution prescribed for NHI contributions.

(3) The Board may, with the approval of the Minister from time to time by regulations made under this Act, fix the rates for NHI contributions for different classes of persons based on a reasonable, equitable and progressive system, and may also prescribe the method of payment and collection of such contributions.

(4) All regulations made by the Board under this section shall be laid before the National Assembly as soon as may be after the making thereof and shall be subject to negative resolution.



Enrolment
and
identification.

72 (1) The following persons shall be eligible for enrolment in the NHI Scheme.

(a) Belizean nationals, and

(b) all persons legally resident in Belize.

(2) Every person eligible for enrolment in the NHI Scheme under subsection (1) above shall, if he wishes to receive

benefits under the Scheme, enroll in the Scheme by producing appropriate documentation establishing his eligibility for such enrolment.

- (3) The Board shall issue a NHI identification card (or a combined social security card and NHI identification card) to all persons enrolled in the NHI Scheme and all such beneficiaries shall be informed of their rights, privileges and obligations under the Scheme.

Services and
access to same.

- 73 (1) Subject to this Part, the following health care services shall be provided by contracted NHI health care providers to NHI beneficiaries as appropriate:

- (a) primary health care services including general medical or clinical practice services from public health centres or polyclinics or from private premises in Belize, as identified by the Ministry of Health and as recognised by the Board for the provision of such services,
- (b) hospital outpatient and inpatient services at public or private health care facilities including the services of health care professionals, diagnosis, treatment and emergency services,
- (c) diagnostic, laboratory and other medical examination services at public or private health facilities,

- (d) prescription drugs and biologicals,
 - (e) any other health care services which may be approved by the Board for the NHI Scheme.
- (2) Access to other NHI health care services shall be by way of referral to those services by registered NHI health care providers who offer general medical or clinical practice services and who are contracted to provide such services:

Provided that in emergency cases, such services may be provided by any other registered NHI health care provider as the case may be.

- (3) The Board may with the approval of the Minister and in accordance with the policy of the Ministry of Health and by statutory instrument, from time to time exclude from the NHI Scheme any non-prescription or prescription drugs, devices, and NHI health care services which may be cost ineffective. Such exclusion shall also be published in two national newspapers.
- (4) The Board may, subject to the availability of funds and on the recommendations of the National Referral Hospital, approve the provision of certain services outside Belize where the same are not available in Belize.

NHI Fund-
Financial.

- 74 (1) For the purpose of this Part, there shall be established under the control and

- (b) all interests, and other income derived from the assets of the NHI Fund,
- (c) all sums recovered for the NHI Fund under this Part of this Act,
- (d) all sums properly accruing to the NHI Fund under this Part including any donations and grants,
- (e) any sums approved by the National Assembly for the purposes of the NHI Scheme only, and
- (f) any other moneys to be legitimately applied for the implementation of the NHI Scheme.

(3) There shall be paid or met out of the NHI Fund

- (a) moneys solely for the purchasing and financing of NHI health care services for NHI beneficiaries, and

- (b) all costs and expenses properly incurred in the management of the NHI Scheme plus half of the remaining expenses incurred by the Board in carrying out its functions with respect to the implementation of the NHI Scheme including the purchase of real property, remuneration, allowances and other operating costs.
- (4) The Board may with the approval of the Minister make regulations to provide for the financial organisation of the moneys of the NHI Fund by

 - (a) the establishment and maintenance of different autonomous branches for different purposes,
 - (b) the establishment and maintenance within such branches of different reserve funds.
- (5) Subject to the provisions of this Part, the use, disposition, investment, disbursement, administration and management of the NHI Fund, including any subsidy, grant or donation received for programme operations shall be governed by resolution of the Board.
- (6) The Board shall set aside a portion of its accumulated NHI Fund as reserve funds, provided that the total reserves shall not exceed the expenditure of the NHI Scheme for the previous six months.

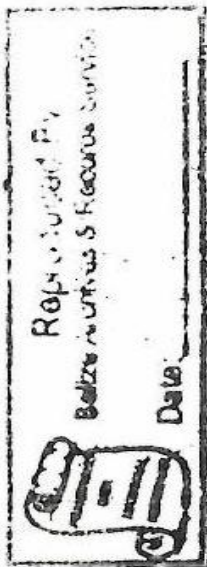
- (7) Any portion of the reserve fund may be invested for short term periods only, to yield interest at the prevailing rates.
 - (8) The Board shall maintain separate administrative, financial, accounting and other records with respect to the NHI Scheme, including separate internal auditing, independent external auditing and separate administrative processing of benefit claims and appeals. On no account shall the moneys of the NHI Scheme be used for or form part of any other Social Security moneys.
 - (9) The Board shall not make any investments in or make any loans to any person, company, individual, health care provider or other entity whatsoever that may be involved in the provision of health care services, diagnostic treatment services, the provision of drugs or any other services that may be provided under the NHI Scheme.
 - (10) Section 45 of this Act relating to actuarial review, shall apply to the NHI Fund in like manner as it applies to the Social Security Fund.
 - (11) The Board shall regularly submit to the Ministry of Health annual reviews on the performance of the NHI Scheme.
- NHI Committee. 75 (1) There shall be established a committee to be known as the National Health Insurance Committee hereinafter referred to as the "NHI Committee.

(2) The members of the NHI Committee shall be appointed by the Minister and shall be as follows:

- (a) the Manager of the Board;
- (b) the Manager of the NHI Scheme;
- (c) the Chief Executive Officer and the Director of Health Services in the Ministry of Health;
- (d) one representative from the private health care sector to be selected by the Belize Medical and Dental Association after consultation with relevant private health organisations;
- (e) one representative from the employers' association;
- (f) one representative from the National Trade Union Congress of Belize.

(3) The functions of the NHI Committee shall be to decide on -

- (a) matters relating to the health care needs of the population,
- (b) problems encountered by private and public providers of services and by customers,
- (c) health care policies of the Government,



- (d) formulation of regulations under this Part;
 - (e) standards and quality pertaining to the functions of the Board in ensuring the availability and effective utilisation of health care services by NHI beneficiaries.
- (4) The NHI Committee shall meet at regular intervals which shall be no less than four times a year to formulate policy matters.
- Registration of NHI health care providers. 76 (1) All NHI health care providers shall be accredited by the Ministry of Health and registered by the Board.
- (2) NHI health care providers shall be eligible to
- (a) negotiate with the NHI Committee to provide specific type or types of health care services in specified quantity and quality to NHI beneficiaries for an agreed fee; and
 - (b) negotiate with the NHI Committee for the provision of specific health care services to NHI beneficiaries for an agreed rate of payment from the Board for every service provided.
- (3) The Board shall by statutory instrument make rules to establish minimum registration requirements in keeping with nationally established standards and norms for health care providers which may require them to

- (a) possess relevant acceptable professional qualifications and experience as may be required by the Ministry of Health;
- (b) offer services in facilities of an appropriate size and with adequate and acceptable standards of physical structure of physical structure and equipment;
- (c) accept appropriate payment from the Board for services provided to NHI beneficiaries;
- (d) keep adequate and acceptable patient information and accounting records;
- (e) recognise the rights of patients;
- (f) adopt referral protocols to other health care services.

Grievances. 77 (1) A beneficiary or NHI health care provider who is aggrieved by the act or omission of any person operating under the NHI Scheme may seek redress on the following grounds:

- (a) any violation of the rights of a patient,
- (b) a wilful neglect of duties by the Board or NHI health care providers which results in the loss

or non-enjoyment of benefits by beneficiaries,

- (c) unjustifiable delay in actions on claims,
- (d) exclusion from licensing as a NHI health care provider,
- (e) any act or omission that undermines or defeats the purpose of the NHI Scheme.

(2) Until such time as a separate appeals tribunal is established for the hearing of complaints in regard to the NHI Scheme the procedure for determining claims and questions under the Social Security (Determination of Claims and Questions) Regulations shall apply *mutatis mutandis* to the hearing of grievances under this section, and for the purposes of the said Regulations, the above-mentioned grounds in subsection (1) (a) to (e) shall be treated as "reserved questions" under such Regulations.

Cap. 34
Sub. Leg.
Vol. 1, pg. 79
(1991 Edn.)

Regulations. 78 (1) The Board may with the approval of the Minister make regulations for the better carrying out of the provisions of this Part and for prescribing anything that requires to be prescribed.

(2) All regulations made by the Board pursuant to subsection (1) above shall

be laid before the National Assembly as soon as may be after the making thereof and shall be subject to negative resolution.”

3. The Second Schedule to the principal Act is hereby amended in section 1 thereof by the addition of the following after paragraph *(iv)*:

“(v) one person representing self-employed persons to be appointed by the Minister;

(vi) one person representing the indigents, to be nominated by the Minister responsible for human development.”

4. This Act shall come into force on a day to be appointed by the Minister by Order published in the *Gazette*.