Guide to eligibility for publicly funded healthcare

Definitions:

Term	Defined as:	
Compulsory Treatment	Treatment which is provided to the person under compulsion, such as under the Alcoholism and Drug Addiction Act 1966 or the Mental Health (Compulsory Assessment and Treatment) Act 1992.	
Cook Islands, Niue and Tokelau	Countries within the Realm of New Zealand. Individuals born in these countries are NZ citizens if born prior to 1 January 2006 or if born since then where at least one parent is a NZ Citizen or has a Resident visa.	
Diplomat	Diplomats, administrative, technical and service staff of foreign missions, and their family members, who are holders of an "official", "consular" or "diplomatic" exemption endorsement (similar to a visa) in their passport issued by the Ministry of Foreign Affairs and Trade.	
Eligible Child	A child under 18 born in NZ, Cook Islands, Niue and Tokelau prior to 1 January 2006 and a child born in NZ, Cook Islands, Niue and Tokelau since then who has one parent who is eligible for publicly funded health and disability services. A child under 18 who has one eligible parent as in <i>Eligibility Decision</i> <i>Tree 9</i> .	
Eligible National of Australia	For the purposes of this policy, all persons who are normally resident in the territory of Australia, including the territories of Coco (Keeling) Islands and Christmas Island but excluding all other external territories, (including Norfolk Island). This includes Australian citizens, permanent residents and other Australian residents as defined by the Australian Health Insurance Act 1973	
Eligible National of United Kingdom	For the purposes of this policy, all persons who are recognised by the Government of the United Kingdom as nationals, provided they are ordinarily resident in the territory of the United Kingdom, being England, Scotland, Wales, Northern Ireland, and also the Isle of Man, the Island of Jersey, and the Bailiwick of Guernsey comprising the islands of Guernsey, Alderney, Herm, Jethou, and Sark. A UK citizen who is normally resident in Zimbabwe or Hong Kong, for instance, does not qualify because they must be normally resident in the UK.	
Eligible Person	A person who is eligible for publicly funded health and disability services as set out in the 2011 Health and Disability Services Direction. Persons suffering an accident in New Zealand are eligible persons if they come within the ACC requirements for cover and entitlement. Level of cover depends on the type of injury/treatment required. Refer to <i>Eligibility Decision Tree 1 – Accident</i> . See <i>Appendix 7</i> for more details.	
Eligible Student	Overseas students funded by the NZ Aid Programme (students; their partners, and their children under the age of 18 years); or Commonwealth Scholarship students (if funded by NZAP eligibility includes partners and children under 18 years; if sponsored by universities only the students are eligible). All other students fall outside the eligibility criteria.	

Page 1 of 28



Term	Defined as:	
Non-eligible Person or Ineligible Person	A person who is not entitled to receive publicly funded health and disability services. They do not meet the eligibility criteria as set out in the 2011 Health and Disability Services Direction.	
Maternity Patients	If not otherwise eligible, pregnant women are entitled to publicly funded maternity services if they are the partner or spouse of a NZ citizen, NZ resident, holder of a 2 year work visa, refugee, protected person, victim of people trafficking, Australian citizen or resident, or eligible student; or if the pregnant woman's unborn child (when it is born) will be a NZ citizen.	
	 For the purposes of this exemption, spouses or partners are defined as: being legally married or in a civil union; in an interdependent partnership akin to a marriage or "de facto" (whether same sex or heterosexual). The couple must be living together in a genuine and stable partnership (there is no duration of relationship requirement). 	
	 The onus of proof to demonstrate that the relationship is genuine lies with the person seeking maternity services. Examples of documents that would demonstrate that the relationship is genuine and stable include: a letter from Immigration New Zealand stating that the Noneligible woman has been granted a temporary visa or has lodged a residence visa application on the basis of her relationship with an eligible partner a marriage certificate statutory declaration of de facto relationship joint bank account statements joint ownership of assets such as a house or vehicle. 	
Ordinarily Resident in New Zealand	 A person is ordinarily resident in New Zealand (a Resident) if they are: a New Zealand citizen a holder of a NZ residence class visa an Australian citizen or permanent resident who can prove an intention to remain legally in NZ for two years or more (e.g. has purchased property or holds a full time position) a holder of a work visa that allows them to stay in New Zealand for at least two consecutive years. 	
Protected Person	A protected person in accordance with the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (CAT) and the International Convention on Civil and Political Rights (ICCPR). A person must be recognised as a protected person if there are substantial grounds for believing they would be in danger of being subject to torture or cruel treatment if deported from New Zealand	
Reciprocal Agreements (Healthcare)	Agreements between one country and another that they will provide certain health services, usually free of charge, to nationals of the other country under certain circumstances. NZ has only two such agreements: with Australia and with the United Kingdom.	



Term	Defined as:	
Reciprocal Agreement with Australia	The Health Benefits [Reciprocity with Australia] Act 1999 allows for medical treatment to be provided to a citizen, permanent resident or other resident of Australia who, in the opinion of the provider of medical treatment, needs immediately necessary medical treatment while in NZ. This shall include such medical treatment as is clinically necessary for the diagnosis, alleviation or care of the condition requiring attention, on terms no less favourable than would apply to a person who is a resident of NZ. The reciprocal agreement covers services provided during labour, birth, the immediate postnatal period and any maternity services that are required urgently.	
Reciprocal Agreement with United Kingdom	d The Health Benefits [Reciprocity With The United Kingdom] Act 1982 allows for medical treatment which, in the opinion of a medical practitioner, or dental practitioner (in respect of persons under 19 years), is required promptly by a citizen of the United Kingdom, normally resident in the UK, for a condition which arose after arrival into the territory of NZ or became, or but for treatment would have become, acutely exacerbated after such arrival. The reciprocal agreement covers services provided during labour, birth, the immediate postnatal period and any maternity services that are required urgently.	
Refugee	A person with written proof from Immigration New Zealand that they have been accepted as a refugee, or that they have "applicant refugee" status.	
Unlawful in NZ	This includes those who are in the country with no visa or other permit from Immigration New Zealand (INZ) together with those whose visas have expired or been revoked.	
Victim of People Trafficking Offense	A victim of an offence against Section 98D of the Crimes Act 1961 (which relates to trafficking in people by means of coercion or deception). If the New Zealand Police suspects that a person is a victim of this offense, this person is also eligible.	

Appendices

Appendix 1: Eligibility Decision Trees – Summary

Appendix 2: Patient Registration Process

Appendix 3: Payments Process

Appendix 4: Corrections Process

Appendix 5: Statutory Environment

Appendix 6: Criteria for Guiding Decision Making

Appendix 7: Checking Passports and other Documentation

Appendix 8: Pricing Structure for Non-Eligible Patient Episodes

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Appendix 1: Eligibility Decision Trees – Summary

Eligibility Test	See Decision Tree
Accident	1
Citizen, resident, refugee or protected person	2
Work visa holder	3
Interim visa holder	4
Australian citizen and Australian resident	5
UK citizen (passport holder)	6
Student visa holder	7
Visitor visa holder	8
Child under 18	9
Pregnant wife or partner of an eligible person	10
People in Prison or on Remand in prison custody	11
Foreign Diplomat and their family	12
People receiving compulsory health services, services relating to infectious diseases, or services in an emergency	13

Eligibility Decision Tree 1 - Accident





Eligibility Decision Tree 2 – Citizen, resident, refugee or protected person





Eligibility Decision Tree 3 – Work visa holder







Eligibility Decision Tree 4 – Interim visa holder





Eligibility Decision Tree 5 – Australian citizen and Australian permanent resident





Eligibility Decision Tree 6 – UK citizen (passport holder)





Eligibility Decision Tree 7 – Student visa holder





Eligibility Decision Tree 8 – Visitor visa holder





Eligibility Decision Tree 9 – Child under 18







Eligibility Decision Tree 10 – Pregnant partner of an eligible person

Is the person pregnant and not eligible for publicly funded services in their own right?





Eligibility Decision Tree 11 – People in prison or on remand in prison custody





Eligibility Decision Tree 12 – Foreign Diplomat and their family





Eligibility Decision Tree 13 – People receiving compulsory health services, services relating to infectious diseases, or services in an emergency





Appendix 6: Criteria for Guiding Decision Making

Table 1: Categories of eligibility for any publicly funded health or disability service

Category	Category Eligibility for Publicly Funded Health and Disability Services	
New Zealand Citizens (including people from the Cook Islands, Niue or Tokelau)	NZ citizens are eligible for the full range of publicly funded health and disability services.	NZ passport OR NZ certificate of identity OR NZ birth certificate OR Cook Islands, Niue or Tokelau birth certificate OR NZ certificate of citizenship OR Certified copy of a descent registration certificate OR social security benefit papers (except emergency benefit) AND two forms of supporting identity information, one with a photo (unless passport is provided).
New Zealand Residence Class Visa Holders	People who hold residence class visas are eligible for the full range of publicly funded health and disability services. NB. Australian citizens and Australian permanent residents are automatically issued resident visas on arrival in NZ, but their eligibility is dealt with in two sections below (i.e. Full or Limited eligibility)	Passport with resident visa OR Passport with permanent resident visa OR Social security benefit papers (except emergency benefit) AND two forms of supporting identity information, one with a photo (unless main proof is passport).
		before December 2010, they will hold a residence permit. This is now called a residence class visa.
Australian citizens or permanent residents staying in NZ for two years or more	Citizens of the Commonwealth of Australia and people holding a current permanent residence visa (includes a resident return visa) issued by the Government of Australia are eligible for the full range of publicly funded health and disability services IF - they are able to demonstrate they have or intend to spend at least 2 consecutive years in New Zealand.	Australian passport, or other passport with Australian permanent resident/resident return visa AND Evidence that New Zealand has been/will be their principal place of residence for at least two years (e.g. employment, house purchase). The 2 years is counted from their arrival date in New Zealand.



Category	Eligibility for Publicly Funded Health and Disability Services	Proof of Eligibility
Work visa holders in New Zealand for two years or more	A work visa holder whose visa or visas allow them to stay in New Zealand for at least 2 consecutive years is eligible for the full range of publicly funded health and disability services.	A current work visa that allows for a total continuous stay of at least 2 years OR A current work visa and other visa held immediately prior that allows a consecutive 24 month stay. NB: if their visa was issued before December 2010, it will be called a work permit.
Interim visa holders	An interim visa holder who was eligible immediately before their interim visa started is eligible for publicly funded health and disability services.	Interim visa letter plus evidence of eligibility before the interim visa (e.g. a letter from Immigration NZ with information on visas held prior to the interim visa, including time spent outside NZ). NB: An assessment of former eligibility will need to be made.



Category	Eligibility for Publicly Funded Health and Disability Services	Proof of Eligibility
Refugees, protected persons and victims of people trafficking	 A person who: has refugee or protected person status in New Zealand, OR is in the process of having an application for refugee or protection status determined by Immigration NZ, OR is in the process of having an appeal against refusal of refugee or protection status determined by the Immigration and Protection Tribunal, OR is a victim or suspected victim of a people trafficking offence. 	Refugee travel document issued under the Passport Act 1992 OR Certificate of Identity (COI) AND Proof of refugee status/application such as a recent letter from Immigration NZ confirming that the person: - has been recognised as a refugee OR - has a current application for refugee status OR A recent letter from the Immigration and Protection Tribunal confirming the person is appealing against a refusal of refugee status. If the COI states the person has residency status, the INZ letters are not necessary. OR A letter from the Police stating the person is a victim or suspected victim of people trafficking.
Students	 <u>NZ Aid Programme student</u> A NZ Aid Programme (NZAP) student, studying in NZ, receiving Official Development Assistance funding AND: their partner OR their dependent child, aged 17 years or younger. NB. Some Commonwealth scholarships are funded by NZAP. The scholar, partner and child aged 17 or younger are eligible. 	Passport with a current NZ student visa AND Documents that indicate the person is a NZ Aid Programme (NZAP) student, or the partner or child of one. For partners and dependents: evidence of Official Development Assistance funding on the basis of relationship.



Category	Eligibility for Publicly Funded Health and Disability Services	Proof of Eligibility	
	Commonwealth Scholarship Holder A student studying in New Zealand and funded by a New Zealand university under the Commonwealth Scholarship and Fellowship Plan is eligible for publicly funded services. NB: Partners and children of Commonwealth Scholarship holders under this scheme are NOT ELIGIBLE for publicly funded health services unless they meet the eligibility criteria in their own right.	Passport with a student visa AND Documents that confirm the person is currently studying under the Commonwealth Scholarship and Fellowship Plan.	
Children	A child under 18 who does not meet one of the above criteria, but whose parent, legal guardian, person applying to be their guardian or adoptive parent is eligible as a: a) New Zealand citizen b) New Zealand residence class visa holder c) an eligible Australian citizen/Australian permanent resident (as above – if staying 2 years) d) an eligible work visa holder e) an eligible interim visa holder f) a refugee or protected person or victim/suspected victim of people trafficking (as above) g) a NZ Aid Programme (NZAP) student.	Evidence that the child is in the care and control of an eligible adult, who is their legal guardian, parent or in the process of adopting the child or becoming their legal guardian. (Birth certificate, adoption papers, guardianship papers or, for a child being adopted: CYF social worker confirmation or NZ Family Court confirmation.) See relevant section for proof of adult's eligibility.	
Foreign Language Teaching Assistantship Scheme	A participant in the Ministry of Education Foreign Language Teaching Assistantship Scheme is eligible for publicly funded health and disability services while participating in this scheme. Partners and children of foreign language teaching assistants are NOT ELIGIBLE for publicly funded health services unless they meet one of the other criteria. Passport with a current work visa AND "To whom it may concern" letter signed by International Languages Aotearoa NZ or Uniservices stating that the person is currently a teacher on this scheme.		

Send copies of documents to <u>eligibility@ccdhb,org.nz</u>.

Table 2: Eligible for a limited range of publicly funded health and disability services

The following table outlines people who have limited eligibility for specific services. Check first if they meet any of the criteria in Table 1 that would make them eligible to be considered for any publicly funded health and disability service.



Category	Eligibility for Publicly Funded Health and Disability Services	Proof of Eligibility	
 UK Citizens Under a Reciprocal Health Agreement a UK citemporarily in New Zealand are eligible for treatment (medical, hospital and related) on th same basis as a New Zealand citizen if he/she ordinarily resident in the UK, on a temporary stay in NZ, AND require medical treatment which in the opin a medical practitioner needs prompt attenti a condition that arose after arrival into New Zealand, OR became, or without treatment would have become acutely exacerbated a arrival. 		UK passport with NZ visa AND Proof that they usually reside in the UK (e.g. return ticket to the UK) AND Medical practitioner opinion that treatment is required as per conditions. Note: Check the person is not eligible for the full range of services under other criteria (e.g. eligible work visa holder, eligible permanent resident).	
Australian residents	 Under a Reciprocal Health Agreement, an Australian citizen, Australian permanent resident or other Australian resident is eligible for: immediately necessary hospital services, maternity services and pharmaceuticals, as determined by the provider of medical treatment. 	Australian passport OR Other passport with Australian permanent resident visa/return resident visa OR Australian Medicare card OR proof of residing in Australia.	
Pregnant Women	 An otherwise Non-eligible pregnant partner of an eligible person is eligible for maternity-related services, on the basis that the child is likely to be born eligible. Should the partnership end during the pregnancy, but the child be born a New Zealand citizen, the maternity-related services continue to be funded. A Partner is: where the parties are legally married or in a civil union, the spouse or civil union partner, OR a de facto partner within the meaning of that term in section 29 of the Interpretation Act 1999. NB. This does not include partners of Commonwealth and Fellowship Plan students or Foreign Language Teaching Assistants. 	ted y to be luring the ealand inue toeligible person (e.g. marriage or civil union certificate, or a declaration with a de facto partner) AND Proof of the partner's eligibility (refer to relevant criteria); OR Evidence that the child is granted New Zealand citizenship by birth (i.e. A NZ birth certificate).	





Category	Eligibility for Publicly Funded Health and Disability Services	Proof of Eligibility
HIV infected pregnant women	51 5	
Infectious diseases	 People who have or who are suspected of having an infectious disease or a quarantinable disease are eligible for funded services relating to: the surveillance the diagnosis the treatment follow-up services and contract tracing services of the person's infectious or quarantinable disease to the extent appropriate to manage the public health risk. 	
Other compulsory public health servicesServices received under any of: 		Refer any enquiries to the area District Inspector or the Ministry of Health.
Accident	Everyone in New Zealand may be eligible for ACC services, visitors and residents alike.	Claim accepted by ACC.
WellChild/Tamariki Ora Services	All children are eligible for WellChild/Tamariki Ora services.	Not required.
Immunisations	All children are eligible for publicly funded immunisations, regardless of their citizenship or immigration status.	Not required.
Prisoners	Prisoners are eligible for publicly funded health and disability services that are not provided within prison facilities, regardless of their immigration status.	
Diplomats	Foreign officials with diplomatic, consular or official visas and their family members are NOT ELIGIBLE for publicly funded health and disability services except for ACC . They will have health insurance.	

Page 23 of 28



NB. Send copies of patient documents to <u>eligibility@ccdhb.org.nz</u>.



	Information	Reason	Further Action
1	Name of patient and date of birth	Assurance that the passport is for the person seeking services.	Also check that the photo matches the person.
2	Country of origin	If it is a current New Zealand passport, the person is eligible.	Check no further.
3		If it is an Australian passport: If they have been in New Zealand for 2 years or more, or show proof that they intend to be, they are eligible. Is this a temporary visit for less than 2years?	Is the date of entry to NZ 2 years ago? (If the passport was not stamped on entry the person can ask Immigration New Zealand for a Statement of Movement, which is provided free and fast.) If the person has not been in NZ for 2 years, ask for proof of intention to spend that length of time in New Zealand. See the section on Reciprocal Agreements in <i>Appendix 6.</i> .
4		If it is an United Kingdom passport: If they have a work visa for 2 years or more, they will be eligible. Is this a temporary visit – less than 2years?	See the section on work visas below. See the section on Reciprocal Agreements in <i>Appendix 6</i> .
5	Passport is current	If expired, then it is possible that the person is unlawfully in New Zealand, in which case they would only be eligible for compulsory services; services provided under a reciprocal agreement; or services provided to a prisoner who required services not available from the prison service; or maternity-related services provided to the partner of an eligible person.	Check for proof of compulsory treatment. See the section on Reciprocal Agreements in <i>Appendix 6</i> . Check for proof of being in prison custody. Check for proof of partnership and partner's eligibility as relevant.

6	A visa to be in New Zealand	Immigration New Zealand ceased to grant permits from 29 November 2010; only visas are being granted from that date. Existing permits are valid. Before 29 November 2010, the person's permit, rather than their visa is used to determine eligibility . Some people don't need a visa to enter New Zealand, but most will still get a visitor's visa in their passport when they enter.	Look for further permit/visa details. The date of issue and date of expiry are generally printed on the permit. Look for visa conditions. See the section on information about passports without visas or permits below.
7	Type of permit/visa	A person is eligible if the visa is a residence class visa; work visa which, together with any previous visas, allowed them to be lawfully in New Zealand for 2 years or more; work visa and a letter confirming that they hold a Ministry of Education Teaching Assistantship; student visa and holder of Commonwealth or NZAP scholarship.	Look for the residence class visa. Look for the work visa. Is the visa period (date of issue to date of expiry) 2 years or more? If not, did they have previous visas, with no gaps between them, that allow for continued presence in New Zealand for two years or more? If there are gaps, see section on Interim visas below. The Ministry of Education Teaching Assistantship, Commonwealth scholarship or NZAP scholarship should be current.
8	Interim visas	From 7 February 2011 Interim Visas have been granted to persons on a temporary visa (work, student or visitor), and who are applying for further temporary visas. Check for a letter from Immigration New Zealand granting the Interim Visa, and that the patient was eligible immediately prior to the Interim Visa. The Interim Visa itself is electronic.	This only applies to gaps between temporary visas that are due to INZ processing delays. Look for an Interim Visa for applications from 7 February 2011. A person applying for a Residence Class visa has to hold a current temporary visa during the application process.

 British citizens and other British passport holders who live permanently in the UK Australian citizens and permanent residents Persons from specific other visa-free countries For a list of visa-free countries, go to the Immigration .govt.nz For a list of visa-free countries, go to the Immigration .govt.nz For a list of visa-free countries, go to the Immigration .govt.nz Term of the ordinary course of the NL2 government, and in the ordinary course of business of the ship from the time the ship arrives at a port of entry in New Zealand up to a period of 28 days crew on any foreign ship authorised by the Minister of Transport to carry constal cargo aircraft crew on any commercial aircraft flying between any other country and New Zealand, for 7 days beginning with the day on which the aircraft arrived in New Zealand members of a Contracting Party to the Antarctic Treaty while in the Ross Dependency or who subsequently travel to another part of New Zealand members of a contracting Party to the Antarctic Treaty while in the Ross Dependency or who subsequently travel to another part of New Zealand for less 	9	Passports without visas	Some people do not need a visa to enter New Zealand. They include:	Most people will still get a visitor's visa when they enter New Zealand. Some people are exempt from having a visa. They are not eligible for publicly funded healthcare, unless they can meet
than 24 hours, and not leaving the transit area of the airport.			 British citizens and other British passport holders who live permanently in the UK Australian citizens and permanent residents Persons from specific other visa-free countries For a list of visa-free countries, go to the Immigration website 	 not eligible for publicly funded healthcare, unless they can meet other criteria. The following are exempt from having a visa: diplomats and their families guests of government who have been granted a visa waiver to travel by special direction for a period of up to 3 months from arrival members of a visiting force of any country, or crew members of any craft transporting such people to New Zealand at the request or consent of the NZ government, and in the ordinary course of the member's duty or employment crew or passengers on any ship carrying passengers or cargo or both in the ordinary course of business of the ship from the time the ship arrives at a port of entry in New Zealand up to a period of 28 days crew on any foreign ship authorised by the Minister of Transport to carry coastal cargo aircraft crew on any commercial aircraft flying between any other country and New Zealand, for 7 days beginning with the day on which the aircraft arrived in New Zealand members of any scientific programme or expedition under the auspices of a Contracting Party to the Antarctic Treaty while in the Ross Dependency or who subsequently travel to another part of New Zealand holders of transit visas who are in New Zealand for less than 24 hours, and not leaving the transit area of the