

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE HEALTH INSURANCE LAW  
(2011 REVISION) TO IMPROVE THE ADMINISTRATION OF THE  
LAW; AND FOR INCIDENTAL AND CONNECTED PURPOSES**

**THE HEALTH INSURANCE (AMENDMENT) BILL, 2012**

**MEMORANDUM OF OBJECTS AND REASONS**

This Bill seeks to amend the Health Insurance Law (2011 Revision) for the purpose of improving the administration of the Law.

Clause 1 of the Bill provides the short title and makes provision in respect of the commencement of the legislation.

Clause 2 amends section 2 of the principal Law, among other things, to re-define various terms for the purposes of the legislation (for example, “child”, “dependent offspring”, “high risk insurance person” and “uninsurable person”). A definition of the term “insured person” is also inserted in the legislation.

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ENACTED by the Legislature of the Cayman Islands.

1. (1) This Law may be cited as the Health Insurance (Amendment) Law, 2012. Short title and commencement

(2) The provisions of this Law shall come into force as follows -

- (a) section 2(d) and (g) shall come into force on such date as may be appointed by Order made by the Governor in Cabinet; and
- (b) the other provisions of this Law shall come into force on the date on which this Law is published in the Gazette.

2. The Health Insurance Law (2011 Revision) is amended in section 2 as follows - Amendment of section 2 of the Health Insurance Law (2011 Revision) - definitions

(a) by deleting the definition of the word “child” and substituting the following definition -

“ “child” means an individual who is under eighteen years of age and who is -

- (a) the offspring of both parties to a marriage;
- (b) an individual who has been treated by both parties to a marriage as a child of the family,

including a step child, adopted child or foster child; or

(c) born out of wedlock;”;

(b) by deleting the definition of the word “dependant” and substituting the following definition -

“ “dependant”, in relation to an insured person or a prospective insured person, means a child of that person, the unemployed spouse of that person, and any dependent offspring of that person;”;

(c) by deleting the definition of the words “dependent offspring” and substituting the following definition -

“ “dependent offspring”, in relation to an insured person, means -

(a) a child of the insured person;

(b) an individual who is eighteen years of age or over and who for medical or physical reasons is dependent on the insured person for shelter or care (whether or not the individual is financially independent); or

(c) an individual who is eighteen years of age or over but under thirty years of age and who, for financial reasons, is dependent on the insured person for shelter or care;

but “dependent offspring” does not include a grandchild of an insured person, unless the grandchild has been adopted by, or is the foster child of, the insured person;”;

(d) by deleting the definition of the words “high risk insurance person” and substituting the following definition -

“ “high risk insurance person”, means a person who has been provided with cover under the standard health insurance contract by an approved insurer but who, by reason of a medical condition or illness, may be subject to rates that exceed the standard premium;”;

(e) by inserting, after the definition of the word “inspector”, the following definition -

“ “insured person”, means any person, group, or organization for whom or for which cover is provided by an approved insurer under the terms and conditions of a contract of health insurance;”;

- (f) by deleting the definition of the words “partially uninsurable person”; and
- (g) by deleting the definition of the words “uninsurable person” and substituting the following definition -

“ “uninsurable person” means a person who, by reason of a medical condition or illness, has been deemed unacceptable for cover under the standard health insurance contract by two or more approved insurers and has been certified by the Commission to be uninsurable and eligible for coverage with an approved insurer designated by the Commission;”.

Passed by the Legislative Assembly the                      day of                      , 2012.

Speaker.

Clerk of the Legislative Assembly.