



Senator the Hon Marise Payne
Minister for Human Services

Parliament House
CANBERRA ACT 2600

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C15/2001

Dr Dennis Jensen MP
Chair
Standing Committee on Petitions
House of Representatives
Parliament House
Canberra ACT 2600

Dear Dr Jensen

Thank you for your correspondence of 24 March 2015, to the Minister for Health and Minister for Sport, the Hon Sussan Ley MP, about a petition concerning the immigration status and access to Medicare for a permanent residency applicant, Mr Dileer Mezori. Your correspondence was referred to me, as the Minister for Human Services, on 15 April 2015, to respond to matters about Medicare eligibility. I apologise for the delay in responding.

Under Section 3(1) of the *Health Insurance Act 1973* (the Act), an eligible person for Medicare includes a person who has applied for a permanent visa under the Act and the application has not been withdrawn or otherwise finally determined.

A person who has had their application for permanent protection referred to the Refugee Review Tribunal, within 28 days of refusal by the Department of Immigration and Border Protection, remains eligible for Medicare during the appeal process.

To ensure that the requirements under the Act are met, the Department of Human Services (the department) requires evidence of an ongoing appeal to ensure the applicant remains eligible for Medicare, specifically a letter from the Refugee Review Tribunal advising that the appeal is still ongoing.

The department requires a letter from the Refugee Review Tribunal every five months to advise that an appeal is still ongoing.

I appreciate your concerns about Mr Mezori's immigration status, and I understand the Minister for Immigration and Border Protection, the Hon Peter Dutton MP, will provide a response in relation to this matter.

If you have any further enquiries about Medicare eligibility when applying for permanent residency, Mr Tony Piazza from the department can be contacted on 02 6143 7717.

Thank you again for writing.

Yours sincerely

MARISE PAYNE

25 May 2015