

MRCA Pharmaceutical Benefits Scheme (No. MRCC 44/2013)

FRLI: F2013L02012

Portfolio: Veterans Affairs

Tabled: House of Representatives and Senate, 4 December 2013

Summary of committee concerns

2.148 The committee seeks clarification of the objective of the pharmaceutical reimbursement measure and further information on the impact the amendment will have on those affected by the amendment.

Overview

2.149 This instrument sets out the circumstances in which the Military Rehabilitation and Compensation Commission may arrange for pharmaceutical benefits to be provided to members of the Defence Force, including former members, or their dependants, at the concessional rate. It replaces the MRCA Pharmaceutical Benefits Scheme (2004 No. M22).

Compatibility with human rights

Statement of compatibility

2.150 The statement of compatibility states that the initiatives introduced by the instrument could promote the right to health by ensuring that relevant veterans or their dependants pay less for pharmaceuticals, receive certain medications more quickly and are more likely to receive the correct medications through better medication management. The statement goes on to state that '[s]ome measures in the attached instrument could be considered as not totally favouring the people in question' and that the:

[r]efinements to the pharmaceutical reimbursement provisions could mean a person receives no pharmaceutical reimbursement compared to the situation under the revoked Scheme. But this change was necessary to protect the public revenue by preventing unintended payments.¹

Committee view on compatibility

2.151 The committee notes the discussion of the pharmaceutical reimbursement measure in the explanatory statement to the instrument. In particular the committee notes the statement that:

[t]he "public revenue amendment" covers the scenario of a couple where both members of the couple are eligible for the pharmaceutical reimbursement, whether under the [*Military Rehabilitation and*

1 Statement of compatibility, p 5.

Compensation Act 2004] or the *Veterans' Entitlements Act 1986*. The amendment ensures, in line with the policy intention for the pharmaceutical reimbursement, that only one member of the couple receive the pharmaceutical reimbursement.²

2.152 It is not clear to the committee what specific circumstances the amendment is intended to address (in particular, it is not clear what is meant by the statement 'in line with the policy intention for the pharmaceutical reimbursement') or what impact this amendment will have on couples where both members of the couple are eligible for pharmaceutical reimbursement.

2.153 The committee intends to write to the Minister for Veterans' Affairs to seek further clarification as to the objective of the amendment to the pharmaceutical reimbursement measure and the impact the amendment will have on those affected.

2 Explanatory statement, p 4.