

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

Additional Estimates 2014 - 2015, 25 February 2015

Ref No: SQ15-000276

OUTCOME: 6 - Private Health

Topic: Private Health Insurance Ombudsman

Type of Question: Hansard Page 77, 25 February 2015

Senator: McLucas, Jan

Question:

Senator McLucas: The provision for the minister to request the PHI Ombudsman to undertake an investigation is also omitted. Is that accurate and is there a reason for that? That is quite similar to the other power.

Ms Faichney: Sorry, I was just getting some advice around that one. It is to do with the difference in the status of the Private Health Insurance Ombudsman versus the Commonwealth Ombudsman, being a statutory office holder themselves, and who therefore does not take direction from a minister. So, it is those specific things around it but I will have to get further written advice for you, because that is clearly not sufficient.

Answer:

Following the transfer functions from the Private Health Insurance Ombudsman, complaint management will be conducted by the Commonwealth Ombudsman. The *Private Health Insurance Amendment Bill (No. 2) 2014* reflects the current approach undertaken by the Commonwealth Ombudsman and the long standing statutory independence of the Office. This approach does not prevent anyone, including the Minister for Health, from raising concerns with the Commonwealth Ombudsman. This is consistent with the approach taken for other industry ombudsmen created under the Ombudsman Act.

To the Department's knowledge, Section 244-5 of the *Private Health Insurance Act 2007*, under which the minister can request the Private Health Insurance Ombudsman to undertake an investigation, has never been used.