

Q&A – Enrolment

Introduction

These questions and answers are designed to support PHOs in working with their providers to clarify any queries about enrolment that may arise. The questions themselves have mainly come from PHOs as a result of provider queries. Some of the answers, for example the definition of residing in New Zealand, will need to be incorporated into the *Enrolment Requirements for PHOs and Providers* reference document which forms part of the PHO Agreement. Updating this Q&A will be undertaken through the usual national process.

Updates will be posted on the DHBSS website in the link below (this is also where all the other PSAAP referenced documents are kept). PHOs will be advised of any updates to this document.

<http://www.dhbshareservices.health.nz/Site/PSAAP/Default.aspx>

What is the difference between *eligibility* for publicly-funded health services and *entitlement to enrol*?

All New Zealand citizens are eligible for publicly-funded health services, but some New Zealanders may not be entitled to enrol in a PHO.

For example, a New Zealand citizen who is living overseas and returns to New Zealand on holiday is *eligible* for publicly-funded health services, but may not be *entitled to enrol* in a PHO. To be entitled to enrol the person would need to meet the enrolment criteria of residing permanently in New Zealand and plan to use the provider as his/her regular and ongoing provider of general practice services.

There are two steps to follow when a person presents for enrolment.

1. Identify if the person is *eligible*¹ for publicly-funded health services (refer to Appendix One)
2. Check if the person is *entitled* to enrol by determining whether:
 - the person is residing permanently in New Zealand ;and
 - the person wishes to use the practice as his/her regular and ongoing provider of general practice services

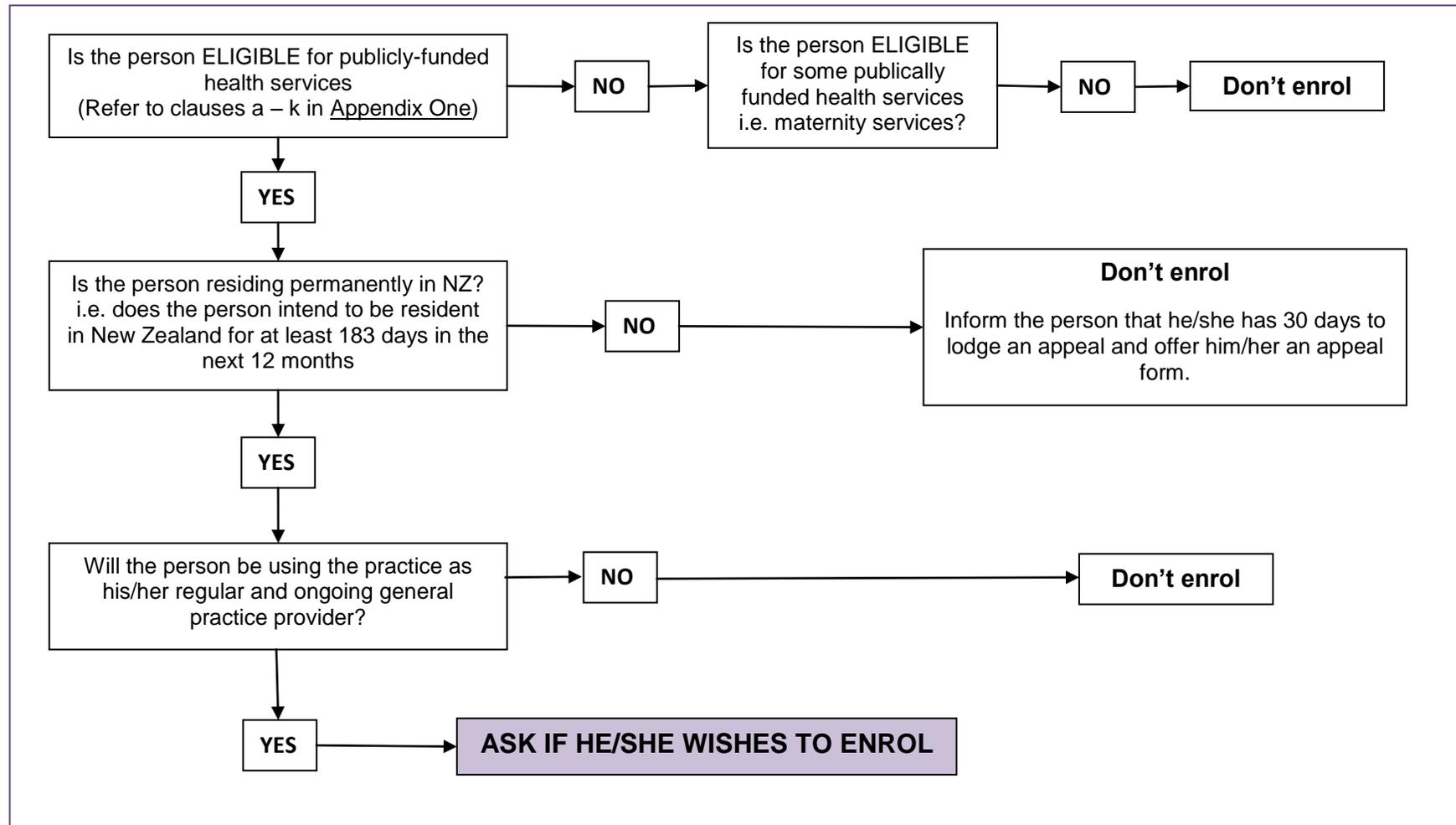
What is the definition of residing permanently in New Zealand?

To be entitled to enrol, an eligible person must also be residing permanently in New Zealand. A person will be considered to be residing permanently in New Zealand if he/she intends to be resident in New Zealand for at least 183 days in the next 12 months.

If residing less than 183 days and the person believes he/she should be enrolled in the PHO an appeal can be lodged within 30 days.

¹ Some people are only eligible for some services (e.g. pregnant partners of eligible people may be eligible for maternity-related services) and can not enrol at a PHO.

Enrolment Process



Is a phone call to the person noted in the patient's notes by practice staff acceptable as 'auditable contact' to confirm enrolment?

Clause 5 'Maximum Period' in the Enrolment Requirements document specifies that if a person hasn't been seen in 3 years, for a person to remain enrolled he/she can either sign a new enrolment form or re-sign an existing enrolment form, or re-confirm enrolment by 'auditable contact' from practice staff member.

It is best practice to use a document signed by the patient to confirm enrolment. If the practice wishes to use 'auditable contact' via a phone call to confirm that the patient continues to want to use the practice as his/her regular and on-going provider, this must be recorded in the patient's records with a note identifying who spoke to the patient and the date, and the original signed enrolment form is retained. A text message is not considered auditable as it is not known who has replied.

The option of using 'auditable contact' to confirm continued enrolment can only be used if there is sufficient documented evidence that the patient's eligibility and entitlement to be enrolled has been confirmed, and there is no reason why the patient's eligibility and entitlement to be enrolled would have changed.

If all of these conditions are met auditable contact can be used to update the date of enrolment field.

Auditable contact cannot be used to update the date of enrolment if there is no signed enrolment form on file².

What can be used to update the 'Date of Last Consultation' in the Practice Management System?

The date of last consultation can be updated following a face-to-face consultation with a GP or Nurse, or a telephone, email or video conference consultation which is recorded in the person's patient notes as per the Daily Record requirements of the PHO Service Agreement.

The following activities **should not** be used to update the date of last consultation field included on a PHO's register:

- invoices and credit notes;
- correspondence, initiated by the provider, relating to outstanding debts or other financial matters;
- correspondence, initiated by the provider, relating to recalls for immunisation or cervical screening programmes, for example;
- the receipt of reports from other health service providers, such as radiographs and laboratory test results;
- registration, enrolment or re-enrolment;

² Prior to 1 April 2004 a signed enrolment form was not required

- notes about the person’s visits to other providers (e.g. emergency departments); or adding notations to a person’s clinical records that are not related to a contact with the patient in person.

What methods can be used to reconfirm enrolment?

A person can confirm their enrolment in three ways:

- The person signs a new enrolment form.
- The person signs a confirmation form or re-confirmation of enrolment on the original enrolment form. (NB The original enrolment form needs to be retained).
- The enrolment is confirmed through “auditable contact with the person that confirms continued enrolment”. Auditable contact that confirms continued enrolment could be a telephone or email contact with a patient about the enrolment that confirms his/her intention to continue to use that provider as his/her regular provider. This is only acceptable if the conversation is documented in the person’s notes. A conversation about the person’s health status that is not a consultation and is not recorded in the Daily Record does not confirm enrolment. Best practice is to update the original enrolment form with the new date and make a note.

The date of enrolment is the date the person signed the form, or the date on which the contact occurred.

What action should I take if I know a person is going overseas for more than a year?

If a patient advises you that he/she will be going overseas for a year or longer the practice should remove him/her from the Register at the time of departure, not wait for 12 months to expire. This means changing the patient’s status to casual.

In the revised Enrolment Requirements for PHOs and Providers referenced document, are all patients now required to provide eligibility documentation?

All health and disability providers who receive public funding are responsible for assessing the eligibility of people receiving services against the criteria set out in the Eligibility Direction 2011. Using information from the patient, providers are responsible for taking all reasonable steps to assess the eligibility and entitlement of patients to enrol, and submitting this on their PHO Enrolment Registers for payment.

The revised *Enrolment Requirements* reference document identifies that sighting documentation is a *recommendation* in the Quality Improvement Period. This recommendation applies prospectively to new patients, not to existing patients. As this is a recommendation, not a requirement, no penalties are attached if this is not done. However, it is considered to be best practice.

Each practice or PHO should work out its internal systems and processes and how this will be managed. People from overseas would expect to be asked to show their passport.

As well as birth certificates and passports the following suggestions may help with determining eligibility for publicly funded services.

- New Zealanders and New Zealand permanent residents with a Gold Card AND receiving Superannuation, or on an Unemployment Benefit, Domestic Purposes Benefit, Sickness Benefit

or Invalids Benefit have already proven eligibility for publicly-funded health services by having to provide the required documentation (a birth certificate or passport) to the Ministry of Social Development or Work & Income NZ. Being on an emergency benefit does not count towards proof of eligibility.

- Practices may choose to make it a routine practice to ask new patients to bring in documentation at the first visit. If this is forgotten, documentation could be photocopied and sent by post, or scanned and sent by email.
- Practices may make the decision to charge the casual rate and refund the difference at a later date when proof of eligibility is provided.

It is recommended that practices have information at reception that reassures people not to be offended if they are asked to provide evidence of citizenship or eligibility.

As noted in the Enrolment Requirements, providers are entitled to rely on the documentation provided by the patient unless it patently appears fraudulent.

Is taking a photocopy of a passport a breach of privacy?

There are two relevant Privacy Rules:

- Rule 10 - whether the Provider is using the document for the purpose it was collected for
- Rule 12 - the use of a unique identifier by an agency other than the one that originally assigned it

If providers choose to take a photocopy of a passport or other documentation that confirms eligibility they can not go on to use the photocopies for any other purposes than verification of eligibility.

The passport number or driver's licence or birth certificate number may be kept as part of a photocopy, but cannot be used as the patient's unique identifier. Use the NHI instead.

Can a patient receive assistance from Work & Income to obtain a birth certificate?

Beneficiaries and non-beneficiaries are able to apply to Work & Income for financial assistance to meet the cost of an essential item such a birth certificate [Advance Payment of Benefit for beneficiaries, and Recoverable Assistance Payment for non beneficiaries]. There is discretion and consideration of the person's individual circumstances when assistance is provided.

The person can phone the Contact Centre on 0800 559 009 to make an appointment. Additional information is also available on the Work & Income website

<http://www.workandincome.govt.nz/individuals/in-financial-hardship.html>

If a patient does not have a passport or driver's license or student ID with photo then what other photo ID can be used?

The Ministry of Health has compiled relevant material to assist Providers to assess eligibility.

[http://www.moh.govt.nz/moh.nsf/pagesmh/5905/\\$File/eligibility-checklist.pdf](http://www.moh.govt.nz/moh.nsf/pagesmh/5905/$File/eligibility-checklist.pdf)

[http://www.moh.govt.nz/moh.nsf/pagesmh/5905/\\$File/pho-enrolment-checklist.pdf](http://www.moh.govt.nz/moh.nsf/pagesmh/5905/$File/pho-enrolment-checklist.pdf)

- If the primary proof of eligibility includes a photo (e.g. passport) then that alone is sufficient.
- If primary proof of eligibility including a photo is not available, then two supplementary forms of ID to prove eligibility are needed.

Why can't a NZ driver's licence be used as evidence of eligibility?

A NZ driver's licence can assist with determining *identity*, but does not have the appropriate information to determine *eligibility*. For example, a person who is not eligible for publicly-funded health services may have a New Zealand driver's licence, and it does not provide information on country of birth.

As a result of the new Enrolment Requirements do we need to ask every patient to sign the new enrolment form?

No – existing patients who are already enrolled with the practice (albeit on an old enrolment form) are *not* required to sign the new enrolment form.

However, the new enrolment form includes updated standardised Health Information Privacy clauses. It is recommended that practices undertake a risk assessment, and if deemed inadequate it is recommended that patients are asked to sign the new-consent clauses at the next point of contact. The 'gold standard' is that the person signs he/she has read and understood these new clauses. The alternate method of obtaining informed consent is to provide patients with a brochure or have a poster on the wall and to bring this to their attention (see below).

If providers are considering not asking patients to sign the amended Health Information Privacy Statement, there is one new clause that won't be in any PHO's consent forms. This is the clause to assist with checking eligibility: *"The information I have provided on the Practice Enrolment Form will be . . . used to determine eligibility to receive publicly-funded services. Information may be compared with other government agencies but only when permitted under the Privacy Act"*.

Does a poster on the wall outlining the Health Information Privacy Code or a brochure constitute informed consent to the use of health information?

The legal obligation under Rule 3 of the Health Information Privacy Code is for agencies to take 'such steps as are, in the circumstance, reasonable' to make sure a health consumer (or his/her representative) is aware of:

- The fact that the information is being collected
- The purpose of collection
- Intended recipients of the information
- The agency or agencies who will be collecting and holding the information (names and addresses)
- Any laws requiring provision of the information
- Any consequences of not providing the information
- Rights of access and correction under the Health Information Privacy Code.

There is no specific requirement to obtain a signed statement from health consumers as part of Rule 3. 'Reasonable steps' could amount to a poster or brochure. However, in the event that the Privacy Commissioner gets a complaint about a Rule 3 breach (e.g. 'I didn't realise that PHO was going to be seeing my health information!') it is up to the individual agency to be able to demonstrate their processes of informed consent.

Would old enrolment forms that included no reference to patient eligibility pass an audit?

Yes, an old enrolment will pass an audit. Audit looks for proof of enrolment in the form of a signed enrolment form. Old signed enrolment forms constitute proof of enrolment.

Can a child be enrolled on their parent's enrolment form?

It is recommended that each child is enrolled on his/her own enrolment form as ethnicity and next of kin information may differ from the parents'.

However, if children aged less than 16 years old at enrolment have been enrolled initially on a parent's enrolment form, this is acceptable.

Why is the Ethnicity Column format so rigidly structured?

Since 2004 there has been a requirement that health providers follow the data collection processes outlined in the 'Ethnicity Data Protocols' for the Health and Disability Sector. The column format of the Ethnicity Question is as described in the *Ethnicity Data Protocols for the Health and Disability Sector, 2004*:

<http://www.moh.govt.nz/moh.nsf/indexmh/ethnicity-data-protocols-feb1994?Open> [From Page 7]

The reason for having a standardised ethnicity question, format and collection process used by all providers is to ensure the quality and reliability of ethnicity data and consistency with Census data.

Does a passport need to be valid at the time of enrolment?

All **non-New Zealand** passports **must be valid** at the time of enrolment.

However, as all New Zealand citizens are Eligible for publically funded health and disability services, **expired New Zealand passports can be used for identification** purposes provided there are no identity related risks. If a person presents an expired New Zealand passport you must be confident that the person requesting to be enrolled is who they say they are. Care should be taken to ensure that the passport is not so old that it is difficult to tell if the person presenting the passport is the same person on the passport. For example, care would need to be taken if the passport has a picture of the person as a child.

Is a birth certificate prior to 2006 considered to be out-of-date?

Everyone born in New Zealand prior to 2006 was automatically a New Zealand citizen, and for the purposes of determining eligibility for publicly funded health services use of a birth certificate prior to 2006 is appropriate.

However, note that in order to reduce identity fraud the Department of Internal Affairs is in the process of updating all birth certificates to have a unique identifier, and any person needing a birth certificate for official purposes may need to purchase a new one with this unique identifier.

For further information on eligibility refer to the following links

<http://www.health.govt.nz/new-zealand-health-system/eligibility-publicly-funded-health-services>

<http://www.healthbenefits.co.nz/resources.html>

Appendix One

Eligibility Clauses

[Old wording: I am **eligible** to enrol because I **live in New Zealand** and meet one of the following criteria:]

I am **entitled** to enrol because I am **residing permanently** in New Zealand³ and meet one of the following criteria:

- a) I am a New Zealand citizen **OR**
- b) I hold a resident visa or a permanent resident visa (or a residence permit if issued before December 2010) **OR**
- c) I am an Australian citizen or Australian permanent resident AND able to show I have been in New Zealand or intend to stay in New Zealand for at least 2 consecutive years **OR**
- d) I have a work visa/permit and can show that I am able to be in New Zealand for at least 2 years (previous permits included) **OR**
- e) I am an interim visa holder⁴ who was eligible immediately before my interim visa started **OR**
- f) I am a refugee or protected person OR in the process of applying for, or appealing refugee or protection status, OR a victim or suspected victim of people trafficking **OR**
- g) I am under 18 years and in the care and control of a parent/legal guardian/adopting parent who meets one criterion in clauses a–f above **OR**
- h) I am 18 or 19 years old and can demonstrate that, on the 15 April 2011, I was the dependant of an eligible work permit holder **OR**
- i) I am a NZ Aid Programme student studying in NZ and receiving Official Development Assistance funding (or their partner or child under 18 years old) **OR**
- j) I am participating in the Ministry of Education Foreign Language Teaching Assistantship scheme **OR**
- k) I am a Commonwealth Scholarship holder studying in NZ and receiving funding from a New Zealand university under the Commonwealth Scholarship and Fellowship Fund.

³ The definition residing in NZ is that you intend to be resident in New Zealand for at least 183 days in the next 12 months

⁴ If a person has an interim visa this means they are waiting for Immigration to finish processing an application as Immigration issues interim visas if the old visa has run out but the new visa is still being processed. To determine the eligibility of an interim visa holder you should look at what their eligibility status was immediately prior to being issued the interim visa. For example, the person had a two year work permit and has been issued with an interim visa while waiting for their application for another two year work permit to be processed. Immigration usually issues Interim visas in a letter form.