



ELIGIBILITY INFORMATION
SUMMARY FOR PRACTICE STAFF

May 2011

Eligibility Summary

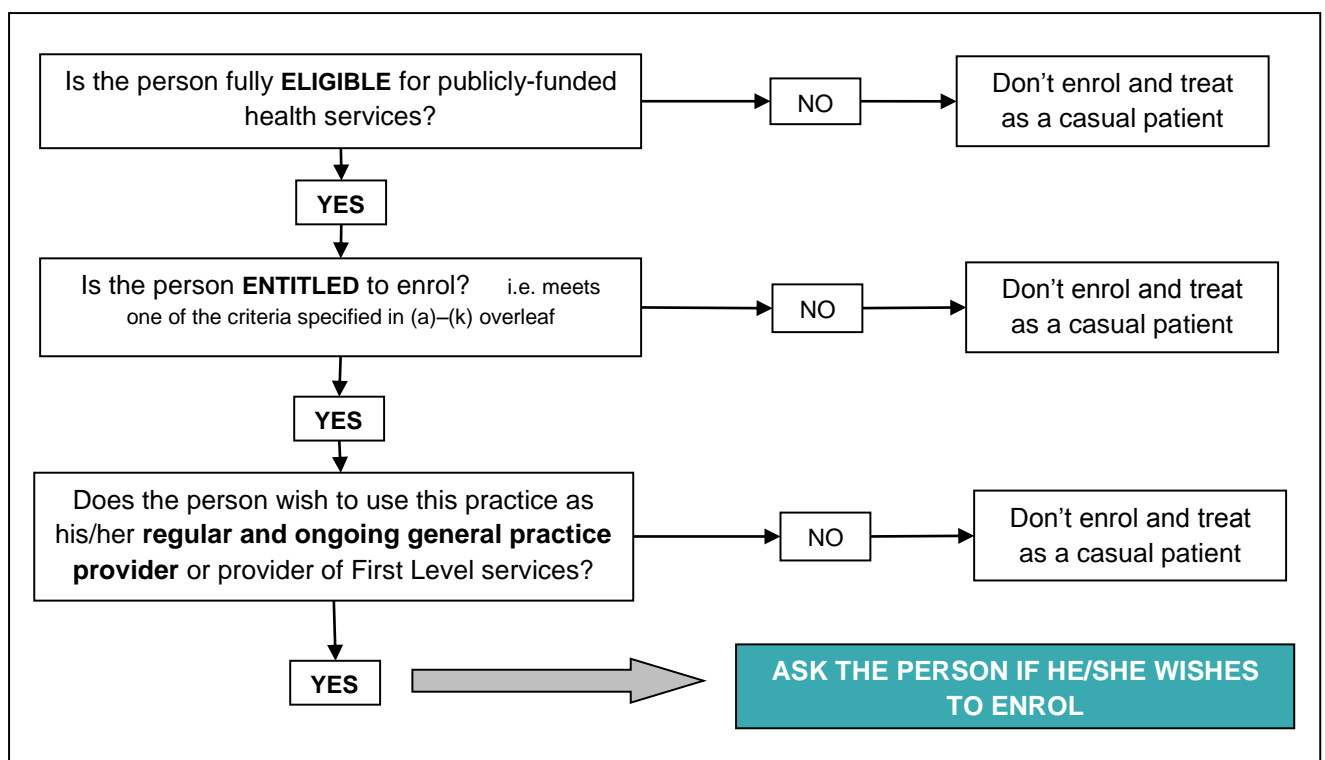
The Health and Disability Services Eligibility Direction 2011, issued by the Minister of Health, is the basis for eligibility

Refer to <http://www.moh.govt.nz/moh.nsf/indexmh/eligibility-direction>

This guide is designed to assist providers to assess a person's eligibility for publicly funded health and disability services and entitlement to enrol in a PHO.

There are three basic steps to follow as set out in the diagram below:

1. Is the person fully eligible?¹
2. Is the person entitled to enrol?² and
3. Does the person wish to use the practice as his/her regular and ongoing provider of general practice services?



NB: If a person does not already have a NHI number they should be assigned one, regardless of their eligibility status.

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.

² Some people are fully eligible, but not entitled to enrol (e.g. they live overseas and the general practice would not be their regular and ongoing primary health care provider).

A person is fully eligible and entitled to be enrolled in a PHO if he / she is residing in New Zealand and:

- a) Is a New Zealand citizen **OR**
- b) Holds a resident visa or a permanent resident visa (or a residence permit if issued before December 2010) **OR**
- c) Is an Australian citizen or Australian permanent resident AND has been in New Zealand or intends to stay in New Zealand for at least 2 consecutive years. **OR**
- d) Has a work visa/permit and is able to show that he/she is able to be in New Zealand for at least 2 years (previous permits included) **OR**
- e) Is an interim visa holder who was eligible immediately before their interim visa started **OR**
- f) Is a refugee or protected person OR is in the process of applying for, or appealing refugee or protection status, OR is a victim or suspected victim of people trafficking **OR**
- g) Is 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) Is 18 or 19 years old and can demonstrate that, on 15 April 2011, he/she was the dependant of an eligible work visa/permit holder (visa must still be valid) **OR**
- i) Is a NZ Aid Programme student studying in New Zealand and receiving Official Development Assistance funding (or their partner or child under 18 years old) **OR**
- j) Is participating in the Ministry of Education Foreign Language Teaching Assistantship scheme **OR**
- k) Is a Commonwealth Scholarship holder studying in New Zealand and receiving funding from a New Zealand university under the Commonwealth Scholarship and Fellowship Fund.

To work out if someone is eligible use the resources for service providers at:

<http://www.moh.govt.nz/moh.nsf/indexmh/eligibility-resources> and
<http://www.moh.govt.nz/moh.nsf/indexmh/eligibility-direction> for the legal document.

Further explanations of eligibility criteria are available in the Q&A section of the eligibility website.

Eligibility Criteria

Health and Disability Services Eligibility Direction 2011

The current Health and Disability Services Eligibility Direction came into effect on 16 April 2011.

Visas and Permits

Foreign nationals' eligibility is usually based on the **visa or permit** that allows them to stay in New Zealand to:

- reside (live here) permanently, **OR**
- work, **OR**
- study, **OR**
- visit, **OR**
- some other specified purpose (e.g. attending an event).

Particularly for work visa holders and their children, you'll need to look at the length of time the person *is allowed to stay*. The conditions on the labels will help you to ascertain this, as well as entry and exit stamps.

NB: prior to 29 November 2010, *visas* permitted a foreign national to travel to and from New Zealand, and *permits* allowed them to stay for a particular time and purpose. Permits are now deemed visas under the Immigration Act 2009, and visas are issued instead.

What to do if a patient is unable to provide proof

A foreign national who believes s/he is eligible for publicly funded services but cannot provide proof in his/her passport can contact Immigration NZ for proof of his/her status or history in New Zealand. This is a free service and provided within a short timeframe.

New Zealand citizens can contact the Department of Internal Affairs for proof of citizenship.

Practices requiring same day payment for consultations may make the decision to charge the casual rate and refund the difference at a later date when proof of eligibility is provided.

A person must be eligible for publicly funded health and disability services on the day they receive services. Eligibility is not retrospective – for example, if an ineligible student visa holder becomes an eligible resident visa holder their eligibility for health services is not backdated to before their residence visa started.

Disputes

If there is a query or dispute about a patient's eligibility, contact the Ministry of Health for advice to make a determination (**Phone 0800 855 151 or email eligibility@moh.govt.nz**).

Eligibility for Publicly Funded Health Services and Entitlement to Enrol in a PHO

Note there is a difference between being *eligible* for publicly funded health services and being *entitled to enrol* in a PHO. For example, a New Zealand citizen who resides overseas and returns to New Zealand on vacation is eligible for publicly-funded health services but is not entitled to enrol in a PHO as he/she is not living permanently in New Zealand.

Examples:

- John was born in New Zealand (before 1 January 2006³) and lives permanently in New Zealand. He is eligible and entitled to enrol.
- Jack was born in New Zealand (before 1 January 2006) and moved to Australia a year ago. He is back visiting his family for one month. He is eligible, but not entitled to enrol.
- Mary was born in Australia and has been living in New Zealand for a year. She intends to remain in New Zealand for at least one more year. She is eligible and entitled to enrol.
- James is six. He was born in the United Kingdom and is visiting New Zealand for two months with his parents who are United Kingdom citizens. He is eligible for emergency medical treatment under a reciprocal agreement but as he is not fully eligible, he is not entitled to enrol.
- Susan was born in South Africa and has a one year working visa. Immediately before her visa started, she was in New Zealand on another visa for a year. She is eligible and entitled to enrol.
- Elizabeth was born in South Africa and has a two-year working visa. She is eligible and entitled to enrol.
- Jeremy is a Samoan citizen and has just moved to New Zealand. He holds a one year work visa. He will not be eligible until he gets a work visa for a second year, and so cannot enrol.
- Mark is 20, American, and has held student visas for two years. He is not a NZ Aid Programme student or a Commonwealth scholarship holder. He is not eligible and is not entitled to enrol.

To work out if someone is eligible use the resources for service providers at:

<http://www.moh.govt.nz/moh.nsf/indexmh/eligibility-resources> and
<http://www.moh.govt.nz/moh.nsf/indexmh/eligibility-direction> for the legal document that sets out the eligibility criteria

³ New Zealand citizenship ceased to be automatically granted to children born in New Zealand on this date.

Eligibility to Publicly Funded Health Services and Entitlement to Enrol in a PHO

Phone 0800 855 151 if any question is not answered in the tables below

While a number of people are eligible for publicly funded health services funded by a DHB, **not all eligible people are entitled to enrol in a PHO**. Providers can only claim for services delivered to an eligible person who is in New Zealand⁴ at the time the services were provided.

Table One: Eligibility-for the full range of publicly funded health and disability services and entitlement to enrol in a PHO

Category	Eligibility and Entitlement	Proof of Eligibility
New Zealand Citizen (including people from the Cook Islands, Niue or Tokelau)	<p><u>Eligibility for publicly funded health services</u> NZ citizens are ELIGIBLE for publicly funded health services.</p> <p><u>Entitlement to enrol in a PHO:</u> In order to be entitled to be enrolled he/she must be currently residing in New Zealand.</p>	<p>NZ passport OR NZ certificate of identity OR NZ birth certificate OR Cook Islands, Niue or Tokelau birth certificate OR NZ certificate of citizenship OR Descent registration certificate OR Social security benefit papers (except emergency benefit) AND two forms of supporting identity information, one with a photo (unless a passport is provided).</p>
Residence class visa holder	<p><u>Eligibility for publicly funded health services</u> New Zealand residence class visa holders are eligible for the full range of publicly funded services.</p> <p>NB: Australian citizens and Australian permanent residents are automatically issued resident visas on arrival in NZ, but their eligibility is dealt with in two sections below (i.e. Full or limited eligibility)</p> <p><u>Entitlement to enrol in a PHO:</u> In order to be entitled to be enrolled he/she must be currently residing in New Zealand.</p>	<p>Passport with resident visa OR Passport with permanent resident visa OR Social security benefit papers (except emergency benefit) AND two forms of supporting identity information, one with a photo (unless main proof is passport).</p> <p>If they became residents before December 2010, they will hold a residence permit. This is now known as a residence class visa.</p>
Australian citizen or permanent resident	<p><u>Eligibility for publicly funded health services</u> Is a citizen of the Commonwealth of Australia OR holds a current permanent residence visa (includes a resident return visa) issued by the Government of Australia AND is able to show that he/she has been in New Zealand or intends to stay in New Zealand for at least 2 consecutive years.</p> <p><u>Entitlement to enrol in a PHO:</u> Yes</p>	<p>Australian passport, or other passport with Australian permanent resident/resident return visa AND Evidence that New Zealand has been/will be their principal place of residence for at least two years (e.g. employment, house purchase). The two years is counted from their arrival date in New Zealand.</p>

⁴ **New Zealand** includes all waters within the outer limits of the territorial sea of New Zealand as defined in section 3 of the Territorial Sea and Exclusive Economic Zone Act 1977, but does not include the Cook Islands, Niue, Tokelau or the Ross Dependency.

Category	Eligibility and Entitlement	Proof of Eligibility
<p>Work visa holders in New Zealand for two years or more</p>	<p><u>Eligibility for publicly funded health services</u> A work visa holder who:</p> <ul style="list-style-type: none"> - holds a work visa, AND - the visa allows him/her to stay for at least two years, OR - the visa plus the time they were lawfully in NZ immediately prior adds up to at least two years. <p><u>Entitlement to enrol in a PHO:</u> Yes</p>	<p>Passport endorsed (stamped) with a current work visa that allows for a total continuous stay of at least 2 years OR A current work visa and other visa/permit held immediately prior that allows a consecutive 24 month stay.</p> <p>NB: if their visa was issued before December 2010, it will be called a work permit.</p>
<p>Interim visa holder</p>	<p><u>Eligibility for publicly funded health services</u> An interim visa holder who was eligible immediately before their interim visa started is eligible for publicly funded services.</p> <p><u>Entitlement to enrol in a PHO:</u> Yes</p>	<p>Interim visa letter plus evidence of eligibility before the interim visa (e.g. a letter from Immigration NZ with information on visas held prior to the interim visa, including time spent outside NZ).</p> <p>NB: An assessment of former eligibility will need to be made.</p>
<p>Refugees, protected persons and victims of people trafficking</p>	<p><u>Eligibility for publicly funded health services</u> A person who:</p> <ul style="list-style-type: none"> - has refugee or protected person status in New Zealand, OR - is in the process of having an application for refugee or protection status determined by Immigration NZ, OR - is in the process of having an appeal against refusal of refugee or protection status determined by the Immigration and Protection Tribunal OR - who is a victim or suspected victim of people trafficking. <p><u>Entitlement to enrol in a PHO:</u> Yes</p> <p>NB: People are not eligible on the basis of other appeals to the Immigration and Protection Tribunal.</p>	<p>Refugee Travel Document issued under the Passport Act 1992 OR Certificate of Identity (COI) AND Proof of refugee status/application such as a recent letter from Immigration NZ confirming that the person:</p> <ul style="list-style-type: none"> - has been recognised as a refugee OR - has a current application for refugee status OR <p>A recent letter from the Immigration and Protection Tribunal confirming the person is appealing against a refusal of refugee status.</p> <p>If the COI states the person has residency status, the INZ letters are not necessary.</p>
<p>Students</p>	<p><u>NZ Aid Programme Student</u></p> <p><u>Eligibility for publicly funded health services</u> A NZ Aid Programme student, studying in NZ, receiving Official Development Assistance funding OR:</p> <ul style="list-style-type: none"> - their partner OR - their dependant child, aged 17 years or younger. <p><u>Entitlement to enrol in a PHO:</u> Yes, until they are no longer funded by this scheme.</p>	<p>Passport with a current NZ student visa AND Documents that indicate the person is a NZ Aid Programme student, or the partner or child of one.</p> <p><u>For partners and dependants:</u> Evidence of Official Development Assistance funding on the basis of the relationship.</p>

Category	Eligibility and Entitlement	Proof of Eligibility
	<p><u>Commonwealth Scholarship Holder</u></p> <p><u>Eligibility for publicly funded health services</u> A student studying in New Zealand and funded by a New Zealand university under the Commonwealth Scholarship and Fellowship Plan is eligible for publicly funded services.</p> <p><u>Entitlement to enrol in a PHO</u> Yes, until they are no longer funded by this scheme.</p> <p>NB: Children of Commonwealth Scholarship holders under this scheme are <u>NOT ELIGIBLE</u> for publicly funded health services unless they meet the eligibility criteria in their own right.</p>	<p>Passport with a student visa AND Documents that confirm the person is currently studying under the Commonwealth Scholarship and Fellowship Plan.</p>
Children	<p><u>Eligibility for publicly funded health and disability services</u> A child under 18 who does not meet one of the above criteria, but whose parent, legal guardian, person applying to be their guardian or adoptive parent, is eligible as a:</p> <ul style="list-style-type: none"> a) New Zealand citizen b) New Zealand residence class visa holder c) an eligible Australian citizen / Australian permanent resident (as above – if staying two years) d) an eligible work visa holder e) an eligible interim visa holder f) a refugee or protected person or victim/suspected victim of people trafficking (as above) g) a NZ Aid programme student. <p><u>Entitlement to enrol in a PHO:</u> Yes. Must become eligible under other criteria from 18 years of age in order to stay enrolled.</p>	<p>Evidence that the child is in the care and control of an eligible adult who is their legal guardian, parent or in the process of adopting the child or becoming their legal guardian. (Birth certificate, adoption papers, guardianship papers or, for a child being adopted: CYF social worker confirmation or NZ Family Court confirmation).</p> <p>See the relevant section for proof of an adult's eligibility.</p>
Young people	<p><u>Eligibility for publicly funded health and disability services</u> People aged 18 and 19 year old are eligible for publicly funded services if, on 15 March 2011, either or both of their parents or legal guardians</p> <ul style="list-style-type: none"> – held a work visa that has not yet expired AND – met the eligibility criteria for work permit holders under the 2003 Eligibility Direction. <p><u>Entitlement to enrol in a PHO:</u> Yes, until the person turns 20, or the parent/legal guardian's work visa expires.</p>	<p>Birth certificate or passport showing the person is under 20, AND Papers confirming the relationship with the eligible parent/legal guardian (e.g. birth certificate, adoption papers, guardianship papers) AND Parent/guardian work visa (may be called "work permit") that</p> <ul style="list-style-type: none"> – was issued on or before 15 April 2011 AND – has not yet expired AND – either allowed for a minimum two year stay OR together with time spent on visas/permits immediately prior allows for a minimum stay of two years.

Category	Eligibility and Entitlement	Proof of Eligibility
Foreign Language Teaching Assistantship Scheme	<p><u>Eligibility for publicly funded health and disability services</u></p> <p>A participant in the Ministry of Education Foreign Language Teaching Assistantship Scheme is eligible for publicly funded health and disability services.</p> <p><u>Entitlement to enrol in a PHO</u></p> <p>Yes, until they are no longer participating in this scheme.</p> <p>Partners and children of foreign language teaching assistants are NOT ELIGIBLE for publicly funded health services unless they meet one of the other criteria.</p>	<p>Passport with a current work visa AND ‘To whom it may concern’ letter signed by International Languages Aotearoa NZ or Uniservices stating that the person is currently a teacher on this scheme.</p>

NB: Visitor and student permit holders who had been eligible since October 2003 are no longer eligible under the 2011 Eligibility Direction. They are no longer entitled to be enrolled unless they have become eligible under another criterion.

Table 2: Eligibility for a limited range of publicly funded services and not entitled to enrol in a PHO

Category	Eligibility and Entitlement	Proof of eligibility
<p>UK Citizen</p>	<p><u>Eligibility for publicly funded health services</u> Under a Reciprocal Health Agreement a UK citizen temporarily in New Zealand is eligible for treatment (medical, hospital and related) on the same basis as a New Zealand citizen if he/she:</p> <ul style="list-style-type: none"> - is ordinarily resident in the UK - is on a temporary stay in NZ, and - requires medical treatment which in the opinion of a medical practitioner needs prompt attention for a condition that arose after arrival into New Zealand, OR became, or without treatment would have become acutely exacerbated after arrival. <p><u>Entitlement to enrol in a PHO:</u> When receiving services under the reciprocal health agreement a UK citizen is NOT ENTITLED to enrol with a PHO. Where the terms above are satisfied, GMS is payable in the same circumstances as for a non-enrolled New Zealand citizen.</p>	<p>UK passport AND Proof that he/she usually resides in the UK (e.g. return ticket to the UK) AND Medical practitioner opinion that treatment is required as per conditions.</p> <p>Note: Check the person is not eligible for the full range of services under other criteria (e.g. eligible work visa holder, eligible permanent resident).</p>
<p>Australian residents</p>	<p><u>Eligibility for publicly funded health and disability services</u> Under a reciprocal health agreement, an Australian citizen, Australian permanent resident or other Australian resident is eligible for:</p> <ul style="list-style-type: none"> - immediately necessary hospital services, maternity services and pharmaceuticals, as determined by the provider of medical treatment. <p><u>Entitlement to enrol in a PHO</u> When receiving services under the reciprocal health agreement an Australian resident is NOT ENTITLED to enrol with a PHO.</p>	<p>Australian passport OR Other passport with Australian permanent resident visa/return resident visa OR Australian Medicare card OR proof of residing in Australia.</p>
<p>Pregnant Women</p>	<p><u>Eligibility for publicly funded health and disability services</u> An otherwise ineligible pregnant partner of an eligible person is eligible for maternity-related services, on the basis that the child is likely to be born eligible. Should the partnership end during the pregnancy, but the child be born a New Zealand citizen, the maternity-related services continue to be funded.</p> <p>A Partner is:</p> <ul style="list-style-type: none"> - where the parties are legally married or in a civil union, the spouse, or civil union partner; OR - a de facto partner within the meaning of that term in section 29 of the Interpretation Act 1999. <p>NB: This does not include partners of Commonwealth and Fellowship Plan students</p>	<p>Proof of partnership to an eligible person (e.g. marriage or civil union certificate, or a declaration with a de facto partner) AND Proof of the partner's eligibility (refer to relevant criteria), OR Evidence the child is granted New Zealand citizenship by birth.</p>

Category	Eligibility and Entitlement	Proof of eligibility
	<p>or Foreign Language Teaching Assistants.</p> <p>Entitlement to enrol in a PHO: The pregnant person is NOT ELIGIBLE for enrolment in a PHO until she becomes fully eligible in her own right.</p>	
HIV infected pregnant women	<p><u>Eligibility for publicly funded health and disability services</u> Any pregnant woman infected with HIV has free access to:</p> <ul style="list-style-type: none"> - blood tests to determine HIV viral load in the pregnant woman - a hospital-based lead maternity carer - a funded course of antiretroviral drug(s), noting that there is no entitlement to ongoing antiretroviral treatment for the mother - information around safe alternatives to breastfeeding - a caesarean section and post caesarean section hospitalisation - postnatal hospital visits for the child to determine the HIV status of the child. <p>Entitlement to enrol in a PHO Unless eligible under other criteria, she is NOT ELIGIBLE for enrolment in a PHO.</p>	Proof of being pregnant and infected with HIV. These services are provided by district health boards.
Infectious diseases	<p><u>Eligibility for publicly funded health and disability services</u> People who have or who are suspected of having an infectious disease or a quarantinable disease are eligible for funded services relating to:</p> <ul style="list-style-type: none"> - the surveillance - the diagnosis - the treatment - follow-up services and - contact tracing services <p>of the person's infectious or quarantinable disease to the extent appropriate to manage the public health risk.</p> <p>Entitlement to enrol in a PHO: Unless eligible under other criteria, they are NOT ELIGIBLE for enrolment in a PHO.</p>	Refer any enquiries to your local Medical Officer of Health.
Other compulsory public health services	<p><u>Eligibility for publicly funded health and disability services</u> Services received under any of:</p> <ul style="list-style-type: none"> - the Mental Health (Compulsory Assessment and Treatment) Act 1992 - the Alcoholism and Drug Addiction Act 1966 - the Criminal Procedure (Mentally Impaired Persons) Act 2003 - the Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003. <p>are funded regardless of a person's citizenship or immigration status.</p>	Refer any enquiries to the District Inspector or the Ministry of Health.

Category	Eligibility and Entitlement	Proof of eligibility
	<p>Entitlement to enrol in a PHO: Unless eligible under other criteria, they are NOT ELIGIBLE for enrolment in a PHO.</p>	
ACC	<p>Eligibility for publicly funded health and disability services Everyone in New Zealand may be eligible for ACC services, visitors and residents alike.</p> <p>Entitlement to enrol in a PHO: People <u>only</u> eligible for ACC-funded services are NOT ELIGIBLE for enrolment in a PHO.</p>	Claim accepted by ACC.
WellChild/Tamariki Ora Services	<p>Eligibility for publicly funded health and disability services All children are eligible for WellChild/Tamariki Ora services.</p> <p>Entitlement to enrol in a PHO: Unless eligible under other criteria, they are NOT ELIGIBLE for enrolment in a PHO.</p>	Not required.
Immunisations	<p>Eligibility for publicly funded health and disability services All children are eligible for publicly funded immunisations, regardless of their citizenship or immigration status.</p> <p>Entitlement to enrol in a PHO: Unless eligible under other criteria, they are NOT ELIGIBLE for enrolment in a PHO.</p>	Not required.
Prisoners	<p>Eligibility for publicly funded health and disability services Prisoners are eligible for publicly funded health and disability services, regardless of their immigration status.</p> <p>Entitlement to enrol in a PHO: PHO enrolment ceases once sentenced as prisoners receive primary health care within the prison facility. Prisoners may stay enrolled while on remand or awaiting sentencing.</p>	Court documents indicating the person is on remand or awaiting sentencing.
Diplomats	<p>Eligibility for publicly funded health and disability services Foreign diplomats and their family members are NOT ELIGIBLE for publicly funded health and disability services except for ACC as they are insured by the country or state they are representing.</p> <p>Entitlement to enrol in a PHO: They are NOT eligible for enrolment in a PHO.</p>	Claim accepted by ACC.

Further information is available on: <http://www.moh.govt.nz/eligibility>