

**TABLE: COMPARATIVE ILLUSTRATION OF JAN. 29 (Public Release) Version of NHI BILL vs. AUG. 3 (Final Bill)**

Statute	Provision – Old	Amendment	Provision – New
Long Title	A BILL FOR AN ACT TO REPEAL THE NATIONAL HEALTH INSURANCE ACT, 2007, TO IMPLEMENT A NATIONAL HEALTH INSURANCE PLAN, TO ESTABLISH A NATIONAL HEALTH INSURANCE FUND TO FUND THE PLAN AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH	Inclusion of the action to Establish a National Health Authority	A BILL FOR AN ACT TO REPEAL THE NATIONAL HEALTH INSURANCE ACT, 2007, TO IMPLEMENT A NATIONAL HEALTH INSURANCE PLAN, <b>TO ESTABLISH A NATIONAL HEALTH AUTHORITY</b> , TO ESTABLISH A NATIONAL HEALTH INSURANCE FUND AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH
Section 2		<b>Substantive Inclusion of Definition</b>	<b>actuary</b> ” means a person who satisfies the National Health Insurance Authority that he is in good standing as a fellow of a professional body of actuaries that is internationally recognised;
			<b>“Fund” means the National Health Insurance Fund established under section 10.</b>
Section 2	“ <b>health care provider</b> ” or “ <b>Provider</b> ” means a <b>natural</b> person or any body of persons, corporate or unincorporate, approved by the Authority to render benefits under the Plan.	<b>Substantive Deletion of ‘natural person or any body of persons’</b>	“ <b>health care provider</b> ” or “ <b>Provider</b> ” means <b>an entity</b> , corporate or unincorporate, approved by the Authority to render benefits under the Plan.
Section 2	“ <b>Insurance Commission</b> ” means the Insurance Commission of The Bahamas established pursuant to <b>section 4</b> of the Insurance Act ( <i>Ch. 347</i> );	<b>Minor Deletion of ‘section 4’</b>	“ <b>Insurance Commission</b> ” means the Insurance Commission of The Bahamas established pursuant to the Insurance Act ( <i>Ch. 347</i> );
Section 2	“ <b>primary care provider</b> ” means a licensed entity <b>providing primary health care benefits to a beneficiary</b> ;	<b>Substantive Deletion of ‘providing primary health care benefits to a beneficiary’</b> <b>Insertion- inserted words are highlighted.</b>	“ <b>primary care provider</b> ” means a licensed entity <b>approved by the Authority to coordinate health care services to be provided to a beneficiary under the Plan in accordance with section 18 of the Act</b> ;
Section 2	<b>regulated health administrator</b> ” or “ <b>Administrator</b> ” means a company carrying on insurance business — (a) <b>which</b> is registered as a long-term insurance business in accordance with <b>section 24</b> of the Insurance Act ( <i>Ch. 347</i> ); (b) <b>which</b> is certified as an Administrator by the Insurance Commission in accordance with the provisions of the Insurance	<b>Substantive -Insertion of the words ‘carrying on sickness or health insurance’</b> <b>-Deletion of the</b>	<b>regulated health administrator</b> ” or “ <b>Administrator</b> ” means a company carrying on insurance business <b>which</b> — (a) is registered as a <b>long-term insurance business carrying on sickness or health insurance in accordance with the Insurance Act (Ch. 347)</b> ; (b) is certified as an Administrator by the Insurance Commission in

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	Act (Ch. 347); and (c) <b>which</b> has entered into an agreement with the Authority pursuant to section 25.	<b>words 'section 24'</b> <b>-Adjustment of the words 'which'</b>	accordance with the provisions of the Insurance Act (Ch. 347); and (c) has entered into an agreement with the Authority pursuant to section 25.
		<b>Substantive</b> <b>Inclusion of definitions for 'secondary care provider' and tertiary care provider.</b> <b>Inserted words are highlighted.</b>	<b>"secondary health care"</b> means specialised health services or benefits provided by a health care provider upon referral by a primary care provider; <b>"tertiary health care"</b> means specialised consultative health care, provided to inpatients on referral from a primary or secondary health care provider in a facility that has personnel and facilities for advanced medical diagnosis and treatment;
Section 3	Objectives of the Act.  <b>The objectives of the Act are —</b> (a) establish the administrative framework and other necessary mechanisms to enable the provision of equitable, accessible, affordable and quality health care services to all eligible persons for the attainment of universal health coverage; (b) to facilitate people centred health care that meets the needs of the population; (c) to provide plurality in the health care system with equal opportunity for public and private sector participation; (d) to promote efficiency in health care administrative operations; and (e) to enable sustainability through appropriate allocation of resources in health care.  <b>---</b>	<b>Substantive</b>  <b>Insertion- Inserted words are highlighted.</b>	<b>Objectives of the Act.</b>  <b>3. Objectives of Act.</b>  <b>Any determination made, decision taken or policy measure implemented under this Act shall be in accordance with the following objectives as follows —</b> (a) to establish the administrative framework and other necessary mechanisms to enable the provision of equitable, accessible, affordable and quality health care services to all eligible persons for the attainment of universal health coverage; (b) to facilitate people centred health care that meets the needs of the population; (c) to provide plurality in the health care system with equal opportunity for public and private sector participation; (d) to promote efficiency in health care administrative operations; and (e) to enable sustainability through appropriate allocation of resources in health care,  <b>in collaboration with the Ministry of Health.</b>
Section 4	The governing body of the Authority shall be a Board <b>;</b>	<b>Minor</b>	The governing body of the Authority shall be a Board <b>that performs the</b>

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	-- and shall perform the functions and exercise the powers of the Authority.		functions and exercises the powers of the Authority
Section 6b	(b) to establish and implement mechanisms for quality assurance in health care provision;	<b>Substantive</b> Deletion of words 'health care provision' Inserted words are highlighted as shown.	(b) to establish and implement mechanisms for quality assurance in the delivery of health care and wellness benefits, services or otherwise under the Plan ;
	(c) to promote improved methods and levels of efficiency in the delivery of health care---	<b>Substantive</b> Insertion of words 'benefits or services or otherwise under the Plan'	(c) to promote improved methods and levels of efficiency in the delivery of health care and wellness benefits or services or otherwise under the Plan;
	(d) in consultation with the Insurance Commission, to establish the criteria for certification by the Insurance Commission, for the purposes of the Insurance Act, of regulated health administrators (hereinafter referred to as an "Administrator");	<b>Substantive</b> -Deletion of the word 'in consultation'; insertion of the word "to collaborate" -Deletion of 'to establish the criteria for certification'; insertion of 'regarding the criteria and process for'	(d) to collaborate with the Insurance Commission regarding the criteria and process for certification by the Insurance Commission of regulated health administrators (hereinafter referred to as an "Administrator");
	(e) in consultation with the Ministry of Health and relevant bodies, to establish the criteria for registration of health care providers (hereinafter referred to as a "Provider");---	<b>Minor</b> Insertion of the words 'under the plan'.	(e ) in consultation with the Ministry of Health and relevant bodies, to establish the criteria for registration of health care providers (hereinafter referred to as a "Provider") under the Plan;
	(g) to register — (i) all Providers participating in the Plan; and (iii) all --- Administrators participating in the Plan;	<b>Minor</b> Removal of (iii); replaced by (ii)	(g) to register — (i) all Providers participating in the Plan; and (ii) all regulated health administrators (hereinafter referred to as

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		Insertion of 'regulated health administrators (hereinafter referred to as "Administrators")	"Administrators") participating in the Plan;
	(i) to set the terms of all agreements with Administrators and Providers including setting the rates of payment and establishing the risk adjustment mechanism;	Paragraph rearranged	(h) to set the terms of all agreements including setting the rates of payment and establishing the risk adjustment mechanism with (i) Administrators; and (ii) Providers;
	(k) to submit to the Minister and where relevant the Minister responsible for health, a report on the Plan and policies relating to health care in accordance with --- prescribed regulations;		(k) to submit to the Minister and where the Minister is not the Minister of Health to that Minister, a report on the Plan and policies relating to health care in accordance with section 37 and prescribed regulations;
		Substantive Insertion of new paragraph, now paragraph (l)	(l) to cause a review of the provisions of this Act to be held no less frequently than once every two years and publish a report with recommendations, if any, to the Minister advising of necessary amendments;
	(l) to do or cause to be done such other things as are necessary or expedient for or in connection with carrying out the objectives of this Act	Substantive -Remove (l); replace with (m) -Deletion of 'are necessary'; insertion of 'may enable the Authority to carry out its functions as may be conferred by this Act' -Deletion of 'expedient for or in connection with carrying';	(m) to do or cause to be done such other things that may enable the Authority to carry out its functions as may be conferred by this Act or any other written law and such other things.

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Section 7	(o) to do all things necessary or convenient to be done for or in connection with the performance of its functions.	<b>Substantive Removal and replacement.</b>	(o) to do or cause to be done, such other things as may be conferred by this Act or any other written law and such other things that may enable the Authority to carry out its functions.
Section 8	<p><b>8. Employees, etc.</b></p> <p>(1) The Board shall employ a Director (who shall be the chief executive officer of the Board) and may employ such other officers and employees at such remuneration and on such terms and conditions as it considers necessary or appropriate for the proper conduct of its business, except that the Board shall not without the prior approval of the Minister —</p> <p>(a) assign to any post a salary, which is above the highest level of that governed by any industrial agreement to which the Board is a party;</p> <p>(b) make an appointment to any post to which a salary mentioned in paragraph (a) of this proviso is attached;</p> <p>(c) make any appointment of a legal adviser to, or medical officer of, the Board or terminate the employment of any person who holds such a post; or</p> <p>(d) make any provision for the payment of any pensions or gratuities or other like benefits to any officers or other employees of the Board by reference to their service.</p> <p>(2) Subject to the provisions of this Act, the</p>	<b>Substantive</b>	<p><b>8. Appointment of Managing Director.</b></p> <p>(1) The Board shall appoint a Managing Director who shall be the chief executive of the Authority.</p> <p>(2) The Board shall employ such other officers and employees at such remuneration and on such terms and conditions as it considers necessary or appropriate for the proper conduct of its business, except that the Managing Director shall not without the prior approval of the Minister —</p> <p>(a) assign to any post a salary, which is above the highest level of that governed by any industrial agreement to which the Board is a party;</p> <p>(b) make an appointment to any post to which a salary mentioned in paragraph (a) of this proviso is attached;</p> <p>(c) make any appointment of a legal adviser to, or medical officer of, the Board or terminate the employment of any person who holds such a post; or</p> <p>(d) make any provision for the payment of any pensions or gratuities or other like benefits to any officers or other employees of the Board by reference to their service.</p> <p>(3) Subject to the provisions of this Act, the Managing Director may delegate to any committee or officer or employee of the Board any such function as the Managing Director may determine, except that every delegation under this subsection shall be revocable by the Managing Director and no delegation shall prevent the exercise by the Managing Director of any function so delegated.</p>

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	Director may delegate to any committee or officer or employee of the Board any such function as the Director may determine, except that every delegation under this subsection shall be revocable by the Director and no delegation shall prevent the exercise by the Director of any function so delegated.		
	<p><b>9. Minister may give directions in the public interest.</b>            Where it appears to the Minister to be requisite in the interest of the public, after consultation with the Authority, the Minister may give to the Authority such directions whether of a general or specific character regarding the discharge of the functions of the Authority and the Authority shall give effect to any such direction.</p>	<p><b>Substantive</b>   <b>Removal and replacement of provision</b></p>	<p><b>9. Minister may give directions in the public interest.</b>            Where circumstances require immediate action, the Minister may, in the interest of the public, give to the Authority such directions as it appears to the Minister appropriate, whether of a general or specific character and the Authority shall give effect to any such direction.</p>
Section 12	<p>(b) annually cause to be prepared a statement of accounts in a form which conforms with the law governing any principles and practices established by the body responsible for regulating the practice of public accounting in The Bahamas; and</p>	<p><b>Substantive</b>   <b>-Deletion of ‘the law governing any principles and practices established by the body responsible for regulating the practice of public accounting in The Bahamas’</b>   <b>-Insertion of ‘international financial reporting standards, and published in</b></p>	<p>(b) annually cause to be prepared a statement of accounts in a form which conforms with international financial reporting standards, and published in accordance with section 37 of this Act</p>

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		accordance with section 37 of this Act'	
Section 12	(2) The statement of accounts shall be audited annually by an independent auditor appointed by the Authority with the approval of the Minister.	<b>Substantive</b> Deletion of 'with the approval of the Minister'.  Insertion of "and licensed with The Bahamas Institute of Chartered Accountants."	(2) The statement of accounts shall be audited annually by an independent auditor appointed by the Authority and licensed with The Bahamas Institute of Chartered Accountants. .
Section 15	Reserve Fund.  (1) All monies of the Fund not immediately required to be expended in meeting any of the obligations of the Authority or discharging any of its functions shall be paid into a Reserve Fund ---.  (2) The Authority may determine — (a) the management of the Reserve Fund; (b) to use the Reserve Fund to increase the benefits under the Plan; and (c) the sums to be carried from time to time to the credit of the Reserve Fund, but no part of the Reserve Fund shall be applied otherwise than for the purposes of the objectives of the Act.	<b>Substantive</b>  Insertion at paragraph (1) as indicated.  Deletion at paragraph (2)(b) of the words "to increase the benefits of the Plan"  Insertion of paragraph (3) as shown.	<b>15. Reserve Fund.</b>  (1) All monies of the Fund not immediately required to be expended in meeting any of the obligations of the Authority or discharging any of its functions or the functions of other government agencies with responsibilities related to this Act shall be paid into a Reserve Fund in accordance with prescribed regulations.  (2) The Authority may determine — (a) the management of the Reserve Fund; (b) use of the Reserve Fund; and (c) the sums to be carried from time to time to the credit of the Reserve Fund,  but no part of the Reserve Fund shall be applied otherwise than for the purposes of the objectives of the Act.  (3) The Minister may make Regulations governing the Reserve Fund.
Section	<b>16. Power to invest.</b>	<b>Substantive</b>	<b>16. Power to invest.</b>

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16	<p>(1) The Authority may invest —</p> <p>(a) monies from the Reserve Fund established pursuant to section 15;</p> <p>(b) any other monies from the Fund, established pursuant to section 10, in —</p> <p>(i) securities issued or guaranteed by the Government; or</p> <p>(ii) other securities, real estate, financial contracts, agreements and investments authorised by the <b>Minister in collaboration with</b> the Authority.</p>	Deletion at (1)	<p>(1) The Authority may invest monies in —</p> <p>(a) Securities issued of guaranteed by the government; or</p> <p>(b) other securities, real estate, financial contracts, agreements and investments authorised by the Minister <b>on the recommendation of</b> the Authority.</p>
Section 17	<p>17. Eligibility for national health insurance.</p> <p>(1) A person shall be eligible to enrol to receive benefits under the Plan if he —</p> <p>(a) is a citizen of The Bahamas and ordinarily resident in The Bahamas or lawfully residing in The Bahamas in accordance with the provisions of the Immigration Act (<i>Ch. 191</i>), having resided in The Bahamas for a period of not less than <b>three</b> months immediately preceding enrolment; and</p>	<p><b>Substantive Deletion at 17(1)(a) of the word 'three'</b></p> <p><b>Insertion at 17(1)(a) of the word 'six'</b></p>	<p><b>Eligibility for national health insurance.</b></p> <p>(1) A person shall be eligible to enrol to receive benefits under the Plan if he —</p> <p>(a) is a citizen of The Bahamas and ordinarily resident in The Bahamas or lawfully residing in The Bahamas in accordance with the provisions of the Immigration Act (<i>Ch. 191</i>), having resided in The Bahamas for a period of not less than <b>six</b> months immediately preceding enrolment; and</p>
	<p>(2) Notwithstanding any other law, for the purposes of subsection (1), "<b>ordinarily resident</b>" shall be construed to mean <b>---</b> a person's ordinary residence shall not be considered to have been interrupted by reason of the fact that the person is occasionally or temporarily absent from The Bahamas or is absent from The Bahamas because of his</p>	Minor	<p>(2) Notwithstanding any other law, for the purposes of subsection (1), "<b>ordinarily resident</b>" shall be construed to mean <b>that</b> a person's ordinary residence shall not be considered to have been interrupted by reason of the fact that the person is occasionally or temporarily absent from The Bahamas or is absent from The Bahamas because of his</p>
	<p>(3) A person shall be ineligible to enrol to receive benefits under the Plan if he —</p> <p>(a) fails to meet <b>the requirements stipulated</b> under subsections (1) and (2); or</p>	Deletion at (3)(a) of the words 'the requirements stipulated'	<p>(3) A person shall be ineligible to enrol to receive benefits under the Plan if he —</p> <p>(a) fails to meet <b>any of the criteria</b> under subsections (1) or (2);</p>

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		Insertion at (3)(a) of the words 'any of the criteria'	
	<p>(5) Where a person —</p> <p>(a) fails to select a primary care provider or Administrator pursuant to subsection (2) for any reason —</p> <p>(i) an Administrator shall be assigned to that person by the Authority; or</p> <p>(ii) a primary care provider may, with the written approval of the person or his legal guardian, facilitate the person's selection of that primary care provider at the time of the person's visit with the primary care provider;</p> <p>(b) is a resident at a licensed residential care establishment, a primary care provider shall be assigned to that person by the Authority.</p> <p>(6) A person shall not be deemed to be enrolled in the Plan until he has selected or been assigned a primary care provider.</p>	<p><b>Minor Section 18(6) replaced with 18(5) and 18(5) replaced with 18(6).</b></p>	<p>(5) A person shall not be enrolled in the Plan until he has selected or been assigned a primary care provider.</p> <p>(6) Where a person —</p> <p>(a) fails to select a primary care provider or Administrator pursuant to subsection (2) for any reason —</p> <p>(i) an Administrator shall be assigned to that person by the Authority; or</p> <p>(ii) a primary care provider may, with the written approval of the person or his legal guardian, facilitate the person's selection of that primary care provider at the time of the person's visit with the primary care provider;</p> <p>(b) is a resident at a licensed residential care establishment, a primary care provider shall be assigned to that person by the Authority.</p>
Section 19	<p>(3) Where the services of a primary care provider are no longer available to a beneficiary, a different primary care provider may with the written approval of the beneficiary or his legal guardian facilitate a re-selection of such primary care provider at the time of the person's visit with such primary care provider.</p>	<p><b>Substantive. Section deleted in its entirety.</b></p>	
Section 20		<p><b>Substantive Sub-section (6) added in its entirety.</b></p>	<p>(6) The level and category of benefits referred to in subsection (1) means primary, secondary and tertiary care.</p>
Section 21	<p><b>Coordination of --- benefits</b></p>	<p><b>Substantive Section renamed</b></p>	<p>Coordination of <b>coverage of</b> benefits</p>
Section	<p>Termination or suspension of benefits.</p>	<p><b>Correction-</b></p>	<p>Termination or suspension of benefits.</p>

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22	<p>(1) Where in the opinion of the Authority, a beneficiary no longer meets the criteria for eligibility pursuant to section 16 that beneficiary may be subject to termination of his benefits under the Plan.</p> <p>(2) Where in the opinion of the Authority a beneficiary —</p> <p>(a) fails to pay any contributions due, if applicable;</p> <p>(b) commits fraud under the Plan; or</p> <p>(c) fails to consent to disclose relevant information, that beneficiary may be subject to suspension of his benefits, but such suspension shall not negate that beneficiaries obligation ---.</p>	<p><b>replacement of the number 16 with 17 at sub-section (1)</b></p> <p><b>Substantive-Deletion at sub-paragraph 2 of the words ‘due, if applicable’; insertion of the words ‘prescribed under this Act.’</b></p> <p><b>Minor – insertion at sub-section (2) paragraph (c) of the words ‘under this Act’</b></p>	<p>(1) Where in the opinion of the Authority, a beneficiary no longer meets the criteria for eligibility pursuant to section 17 that beneficiary may be subject to termination of his benefits under the Plan.</p> <p>(2) Where in the opinion of the Authority a beneficiary —</p> <p>(a) fails to pay any contributions prescribed under this Act;</p> <p>(b) commits fraud under the Plan; or</p> <p>(c) fails to consent to disclose relevant information, that beneficiary may be subject to suspension of his benefits, but such suspension shall not negate that beneficiaries obligation under this Act.</p>
Section 25	<p>(2) Any person that is desirous of participating in the Plan as an Administrator must —</p> <p>(a) be registered --- as a long-term insurance business with the Insurance Commission ---;</p> <p>(b) be certified by the Insurance Commission as an Administrator in accordance with any criteria established by the Authority under this Act and enter into an agreement with the Authority in accordance with the provisions of this Act; and</p>	<p><b>Substantive Insertion at (2)(a) of the words ‘with the Insurance Commission’ and ‘insurance in accordance with the Insurance Act (Ch, 347).’</b></p> <p><b>Deletion at (2)(b) of the words ‘in accordance with any criteria established by the Authority under this Act’</b></p>	<p>(2) Any person that is desirous of participating in the Plan as an Administrator must —</p> <p>(a) be registered with the Insurance Commission as a long-term insurance business carrying on sickness or health insurance in accordance with the Insurance Act (Ch. 347);</p> <p>(b) be certified by the Insurance Commission as an Administrator and enter into an agreement with the Authority in accordance with the provisions of this Act; and</p>
Section 31	<p><b>Termination of Provider or Administrator.</b></p>	<p><b>Substantive Insertion of the</b></p>	<p><b>Termination of Provider or Administrator.</b></p>

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	<p>(1) Where a Provider —</p> <p>(a) submits a false or fraudulent claim;</p> <p>(b) commits any act of fraud in relation to the Plan;</p> <p>(c) fails to disclose any material information requested by the Authority;</p> <p>(d) fails to comply with any recommendation of an inspector pursuant to section 36;</p> <p>(e) discloses confidential data or fails to protect confidential data;</p> <p>(f) fails to meet any quality assurance or standards of care requirement;</p> <p>(g) without good reason, fails to provide appropriate benefits to a beneficiary; or</p> <p><b>(h) ---</b></p> <p>(i) breaches any material term of the agreement, the Authority may terminate participation of that Provider in the Plan.</p>	<p><b>paragraph (h) as shown.</b></p>	<p>(1) Where a Provider —</p> <p>(a) submits a false or fraudulent claim;</p> <p>(b) commits any act of fraud in relation to the Plan;</p> <p>(c) fails to disclose any material information requested by the Authority;</p> <p>(d) fails to comply with any recommendation of an inspector pursuant to section 36 as prescribed in regulations;</p> <p>(e) discloses confidential data or fails to protect confidential data;</p> <p>(f) fails to meet any quality assurance or standards of care requirement;</p> <p>(g) without good reason, fails to provide appropriate benefits to a beneficiary;</p> <p><b>(h) does such act or omission that results in the revocation of its licence or practicing certificate; or</b></p> <p>(i) breaches any material term of the agreement, the Authority may terminate participation of that Provider in the Plan.</p>
Section 32	<p><b>Withdrawal.</b></p> <p>Any Administrator or Provider that no longer wishes to participate in the Plan shall give the Authority no less than ninety days written notice of the intention to withdraw participation in the Plan in accordance with any agreement made between the parties pursuant to this Act and must provide for transition of care of beneficiaries as set forth in the agreement ---.</p>	<p><b>Insertion of the words 'as prescribed in regulations.'</b></p>	<p><b>Withdrawal.</b></p> <p>Any Administrator or Provider that no longer wishes to participate in the Plan shall give the Authority no less than ninety days written notice of the intention to withdraw participation in the Plan in accordance with any agreement made between the parties pursuant to this Act and must provide for transition of care of beneficiaries as set forth in the agreement <b>or as prescribed in regulations.</b></p>
Section 33	<p><b>Cooperation and information sharing.</b></p> <p>(1) The Authority may cooperate with any government agency, including, by sharing information that it has acquired in the course of its duties or in the exercise of its functions under this or any other law where the Authority considers that such cooperation or information may be relevant to the discharge of the statutory functions of the requesting agency, and, the</p>	<p><b>Minor</b></p> <p><b>Deletion at 33(1)(b) of the words 'provided that the consent has been...given;'</b></p>	<p><b>Cooperation and information sharing.</b></p> <p>(1) The Authority may cooperate with any government agency, including, by sharing information that it has acquired in the course of its duties or in the exercise of its functions under this or any other law where the Authority considers that such cooperation or information may be relevant to the discharge of the statutory functions of the requesting agency, and, the requesting agency has reciprocal arrangements in place to facilitate</p>

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	<p>requesting agency has reciprocal arrangements in place to facilitate a request from the Authority for information that may be relevant to the discharge of its statutory functions.</p> <p>(2) Notwithstanding subsection (1), the Authority shall not share any information that relates to the medical history or medical status in respect of an individual.</p> <p>(3) Subsection (2) shall not apply to a disclosure of information —</p> <p>(a) lawfully required or permitted by any court of competent jurisdiction within The Bahamas;</p> <p>(b) in respect of the affairs of a beneficiary where the consent of the beneficiary or legal guardian as the case may be has been given, provided that the <b>consent has been voluntarily given;</b></p> <p>(c) where, the information disclosed is in a manner that does not enable the identity of any beneficiary, Administrator, or Provider to which the information relates to be ascertained.</p> <p>(4) Any information shared pursuant to this section must be shared securely and in accordance with section 39 and any regulations as may be prescribed.</p> <p>(5) For the purposes of this section, the Authority may enter into an appropriate information sharing agreement.</p>		<p>a request from the Authority for information that may be relevant to the discharge of its statutory functions.</p> <p>(2) Notwithstanding subsection (1), the Authority shall not share any information that relates to the medical history or medical status in respect of an individual.</p> <p>(3) Subsection (2) shall not apply to a disclosure of information —</p> <p>(a) lawfully required or permitted by any court of competent jurisdiction within The Bahamas;</p> <p>(b) in respect of the affairs of a beneficiary where the consent of the beneficiary or legal guardian as the case may be, <b>has been given voluntarily;</b></p> <p>(c) where, the information disclosed is in a manner that does not enable the identity of any beneficiary, regulated health Administrator, or Provider to which the information relates to be ascertained.</p> <p>(4) Any information shared pursuant to this section must be shared securely and in accordance with section 39 and any regulations as may be prescribed.</p> <p>(5) For the purposes of this section, the Authority may enter into an appropriate information sharing agreement.</p>
<p>Section 37</p>	<p><b>Report.</b></p> <p>(1) The Authority shall, within three months of the end of each financial year, cause to be made and shall submit to the Minister —</p> <p>(a) a report on the activities and operations of the Authority during that year; and</p> <p>(b) a copy of the statement of accounts of the Fund for that financial year certified by an auditor.</p> <p>(2) The Minister shall cause a copy of the report together with the annual statement of accounts, the auditor's report and any actuarial report to be laid before each House of Parliament within thirty days from the date of submission to the Minister.</p>	<p><b>Substantive</b></p> <p><b>Section renamed; removal and replacement of section 37</b></p>	<p><b>Annual Report.</b></p> <p>(1) The Authority shall, within three months of the end of each financial year, cause to be made and shall submit to the Minister an annual report.</p> <p>(2) The Annual Report shall—</p> <p>(a) include a report on the activities and operations of the Authority and the carrying out of its functions during that year;</p> <p>(b) include a copy of the statement of accounts of the Fund for that financial year certified by an auditor;</p> <p>(c) include a plan of the proposed objectives for the forthcoming year;</p> <p>(d) set out the strategy for the forthcoming financial year;</p>

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			<p>(e) set out the priorities of the Board for the succeeding two years;</p> <p>(f) set out the key performance indicators for the forthcoming year;</p> <p>(g) set out the key activities carried out during the previous financial year, whether or not envisaged in the annual report for the previous year;</p> <p>(h) set out the budget of the Authority establishing the target activities of the forthcoming year;</p> <p>(i) outline the Authority's financial performance against its budget; and</p> <p>(j) include a detailed report of the performance of the Authority against the aforementioned performance indicators.</p> <p>(3) The Minister shall cause a copy of the Annual Report together with the annual statement of accounts, the auditor's report and any actuarial report to be laid before each House of Parliament within thirty days from the date of submission to the Minister.</p> <p>(4) The Authority shall take all necessary measures to make available to the public copies of the Annual Report by ensuring that the Annual Report is published on its website within seven days after the same has been laid in Parliament.</p>
Section 38	<p><b>Determination of questions and grievances.</b></p> <p>(1) Where any person —</p> <p>(a) is denied <b>registration</b> under the Plan;</p>	<p><b>Substantive</b></p> <p><b>Deletion of the word 'registration';</b></p> <p><b>insertion of the word 'enrolment' as shown</b></p>	<p><b>Determination of questions and grievances.</b></p> <p>(2) Where any person —</p> <p>(a) is denied <b>enrolment</b> under the Plan;</p>
Section 39	<p>Subsection (1) shall not apply to a disclosure of data or information —</p>	<p><b>Minor</b></p> <p><b>Deletion at</b></p>	<p>Subsection (1) shall not apply to a disclosure of data or information —</p> <p>a. lawfully required or permitted by any</p>

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	<p>(a) lawfully required or permitted by any court of competent jurisdiction within The Bahamas;</p> <p>(b) for the purpose of assisting the Authority to exercise any functions conferred on it by this Act, by any other Act, or by regulations made thereunder;</p> <p>(c) in respect of the affairs of a beneficiary <b>with the</b> consent of the beneficiary or legal guardian as the case may be, which consent has been voluntarily given;</p> <p>(d) where the information disclosed is or has been available to the public from a lawful source;</p> <p>(e) where the information disclosed pertains to one's self; or</p> <p>(f) where the information disclosed is in a manner that does not enable the identity of any beneficiary to which the information relates to be ascertained.</p>	<p><b>paragraph (c) of 'with' insertion of 'where' as indicated; deletion of 'which consent';</b></p>	<p>court of competent jurisdiction within The Bahamas;</p> <p>(b) for the purpose of assisting the Authority to exercise any function conferred on it by this Act, by any other Act, or by regulations made thereunder;</p> <p>(c) in respect of the affairs of a beneficiary <b>where the consent</b> of the beneficiary or legal guardian as the case may be, has been voluntarily given;</p> <p>(d) where the information disclosed is or has been available to the public from a lawful source;</p> <p>(e) where the information disclosed pertains to one's self; or</p> <p>(f) where the information disclosed is in a manner that does not enable the identity of any beneficiary to which the information relates to be ascertained</p>
<p>Section 43</p>	<p><b>Regulations.</b></p> <p>(1) The Minister may, on the recommendations of the Authority, make regulations generally for the better carrying out of the provisions and objectives of the Act and without prejudice to the generality of the aforesaid, the Minister may make regulations —</p> <p>(a) prescribing the procedure of enrolment <b>--</b> by beneficiaries;</p> <p>(b) prescribing the categories of beneficiaries and the applicable benefits relating thereto;</p> <p>(c) prescribing the procedure, rate and mode for the payment of contributions by</p>	<p><b>Substantive. Changes made throughout and are highlighted accordingly.</b></p>	<p><b>Regulations.</b></p> <p>(1) The Minister may, on the recommendations of the Authority, make regulations generally for the better carrying out of the provisions and objectives of the Act and without prejudice to the generality of the aforesaid, the Minister may make regulations —</p> <p>(a) prescribing the procedure for enrolment <b>and re-selection</b> by beneficiaries;</p> <p>(b) prescribing the categories of beneficiaries and the applicable benefits relating thereto;</p> <p>(c) prescribing the procedure, rate and mode for the payment of contributions by beneficiaries and employers;</p>

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	<p>beneficiaries and employers;</p> <p>(d) prescribing the certification criteria for Administrators and registration criteria for Providers participating in the Plan;</p> <p>(e) prescribing the categories of persons and the means of identifying them, who may be exempted from paying contributions, copayments or other cost-sharing obligations under the Plan;</p> <p>(f) prescribing matters related to privacy and data protection;</p> <p>(g) prescribing matters relating to the setting of payments for Providers and Administrators and the risk adjustment mechanism for Providers and Administrators;</p> <p>(h) prescribing procedures for the resolution and determination of grievances;</p> <p>(i) prescribing the percentage of the Fund to be used for activities that directly facilitate access to health care;</p> <p>(j) prescribing the appointment, functions and procedure of committees;</p> <p>(k) prescribing the manner and form of any forms to be used;</p> <p>(l) requiring the reporting of data by Providers and Administrators, and the form and manner thereof; and</p> <p>(m) prescribing any other matter for the better carrying out of the objectives of the Act.</p>		<p>(d) prescribing the registration criteria for Administrators participating in the Plan;</p> <p>(e) prescribing the registration criteria for Providers participating in the Plan;</p> <p>(f) prescribing the categories of persons and the means of identifying them, who may be exempted from paying contributions, copayments or other cost-sharing obligations under the Plan;</p> <p>(g) prescribing matters related to information sharing, maintenance of records, privacy and data protection;</p> <p>(h) prescribing matters relating to the setting of payments for Providers and Administrators and the risk adjustment mechanism for Providers and Administrators;</p> <p>(i) prescribing procedures for the resolution and determination of grievances;</p> <p>(j) prescribing the percentage of the Fund to be used for activities that directly facilitate access to health care;</p> <p>(k) prescribing the appointment, functions and procedure of committees;</p> <p>(l) prescribing the manner and form of any forms to be used;</p> <p>(m) requiring the reporting of data by Providers, and the form and manner thereof;</p> <p>(n) requiring the reporting of data by Administrators, and the form and manner thereof; and</p> <p>(o) prescribing any other matter for the better carrying out of the objectives of the Act.</p>
First Schedule	<p><b>Constitution of Board.</b></p> <p>(1) The Board shall consist of twelve persons —</p> <p>(a) seven of whom shall be appointed by the</p>	<p><b>Substantive</b></p> <p>The entire first schedule was removed</p>	<p><b>Constitution of Board.</b></p> <p>(1) The Board shall consist of nine members —</p> <p>(a) two of whom shall be appointed by the Minister</p>

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<p>Minister from among those categories of persons that would be regarded as representative of the views of beneficiaries, the medical and nursing profession, and the religious, commercial and labour sectors;</p> <p>(b) the Director of the National Health Insurance Authority, Director of the National Insurance Board, the Chief Medical Officer, the Superintendent of the Insurance Commission and the Director of Social Services who shall be <i>ex-officio</i> members with no right to vote, and not less than forty percent of the members of the Board shall be female and not less than forty percent shall be male.</p> <p>(2) The Minister shall appoint a Chairman and Deputy Chairman from among the appointed members of the Board.</p> <p>(3) No person is eligible to serve as Chairman, Deputy Chairman or a member of the Board if he is a Director or officer of any business that offers a service in accordance with the Plan.</p> <p>(4) Upon appointment, or in any other case, before discharging any duty in connection to the Board, each member shall sign a declaration of acceptance of membership of the Board and an undertaking that he will adhere to the rules pertaining to his duties or any other such relevant rules or procedures.</p>	<p>replaced.</p>	<p>in his discretion of whom —</p> <p>(i) one shall be regarded as having demonstrated experience in the health sector in areas such as health service delivery, health workforce, health information systems, access to essential medicines, health financing, health leadership or governance;</p> <p>(ii) one shall be regarded as having demonstrated experience in the commercial sector in areas such as financial expertise, business strategy, business administration or executive-level management, and not less than forty percent of the members of the Board shall be female and not less than forty percent shall be male;</p> <p>(b) three of whom shall be appointed by the Minister in his discretion, of whom —</p> <p>(i) two shall be selected from among those categories of persons regarded as representative of the views of patients, beneficiaries or civil society;</p> <p>(ii) one shall be selected from among those categories of persons regarded as representative of the views of the nursing or allied health professions;</p> <p>(c) four of whom shall be approved by the Minister of whom —</p>
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			<p>(i) one shall be proposed by The Bahamas Chamber of Commerce and Employers Confederation;</p> <p>(ii) one shall be proposed by the National Congress of Trade Unions Bahamas;</p> <p>(iii) one shall be proposed by The Bahamas Insurance Association;</p> <p>(iv) one shall be proposed from among the Medical Association of The Bahamas.</p> <p>(2) The Managing Director of the National Health Insurance Authority, the Chief Medical Officer, the Director of the National Insurance Board, the Superintendent of the Insurance Commission of The Bahamas and the Director of Social Services shall be ex-officio members with no voting rights.</p> <p>(3) The Minister shall appoint the Chairman and the Deputy Chairman from among the appointed members of the Board.</p> <p>(4) Prior to the acceptance of membership of the Board, a proposed member shall disclose whether or not he is a director or officer or shareholder of any business that offers a service in accordance with the Plan, and if the Minister is fully satisfied, upon completing due diligence with respect to the proposed member that the presence of the member shall not —</p> <p style="padding-left: 40px;">(a) prejudice the principles of natural justice; and</p> <p style="padding-left: 40px;">(b) subject the proceedings of the Board to a charge of bias, the Minister may proceed to issue a letter of appointment to that member.</p> <p>(5) Upon appointment, or in any other case, before discharging any duty in connection to the Board, each member shall sign a declaration of acceptance of membership of the Board and an undertaking that he will adhere to the rules pertaining to his duties or any other such relevant rules or procedures.</p>
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<p>Second Schedule</p>	<p><b>SECOND SCHEDULE</b> (section 20)</p> <p>BENEFITS AVAILABLE TO A BENEFICIARY UNDER THE PLAN</p> <p>PRIMARY HEALTH CARE</p> <p>The benefits provided at the primary health care level shall consist of —</p> <ol style="list-style-type: none"> <li>1. Primary health care services of health care providers</li> <li>2. Primary health care diagnostic, laboratory and other medical services, including care integration, counselling, home or residential care and population health services addressing the social and other determinants of health</li> </ol>	<p><b>Substantive Inclusion of the word 'pharmaceutical' as shown.</b></p>	<p><b>SECOND SCHEDULE</b> (section 20)</p> <p>BENEFITS AVAILABLE TO A BENEFICIARY UNDER THE PLAN</p> <p>PRIMARY HEALTH CARE</p> <p>The benefits provided at the primary health care level shall consist of —</p> <ol style="list-style-type: none"> <li>1 Primary health care services of health care providers</li> <li>2 Primary health care diagnostic, laboratory, pharmaceutical and other medical services, including care integration, counselling, home or residential care and population health services addressing the social and other determinants of health</li> </ol>