



Jersey

HEALTH INSURANCE AND INCOME SUPPORT (INFLUENZA) (JERSEY) REGULATIONS 2009

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

26.500.01

Showing the law from 1 January 2019 to Current



Jersey

HEALTH INSURANCE AND INCOME SUPPORT (INFLUENZA) (JERSEY) REGULATIONS 2009

Contents

Regulation

| | | |
|---|--|---|
| 1 | Interpretation | 5 |
| 2 | Application: general | 5 |
| 3 | Medical services during containment phase | 6 |
| 4 | Medical services as alternative to hospital admission during containment or management phase | 6 |
| 5 | Health insurance - alternative rate of medical benefit | 6 |
| 6 | Income support – special payment..... | 7 |
| 7 | Declaration of phases | 7 |
| 8 | Citation..... | 7 |

ENDNOTES 8

| | |
|------------------------------------|---|
| Table of Legislation History | 8 |
| Table of Endnote References | 8 |



Jersey

HEALTH INSURANCE AND INCOME SUPPORT (INFLUENZA) (JERSEY) REGULATIONS 2009

THE STATES, in pursuance of Articles 9 and 36 of the [Health Insurance \(Jersey\) Law 1967](#) and Articles 8 and 18 of the [Income Support \(Jersey\) Law 2007](#), have made the following Regulations –

Commencement [[see endnotes](#)]

1 Interpretation

- (1) In these Regulations –
 - “containment phase” shall be construed in accordance with Regulation 7;
 - “influenza” means Influenza A (H1N1) or (H5N1) and variants thereof;
 - “management phase” shall be construed in accordance with Regulation 7;
 - “Medical Officer of Health” means the person appointed under Article 10 of the [Loi \(1934\) sur la Santé Publique](#);
 - “public holiday” means Christmas Day, Good Friday or a day appointed to be observed as a public holiday under the [Public Holidays and Bank Holidays \(Jersey\) Law 1951](#);
 - “special payment” has the same meaning as in the [Income Support \(Jersey\) Law 2007](#).
- (2) Other expressions used in these Regulations have the same meanings as in the [Health Insurance \(Jersey\) Law 1967](#).

2 Application: general

These Regulations apply only to medical services provided –

- (a) to a person who is ordinarily resident in Jersey;
- (b) at the person’s place of residence in Jersey (whether the place at which the person is ordinarily resident or a place at which the person is temporarily resident);
- (c) by an approved medical practitioner;

- (d) in accordance with any guidelines issued by the Medical Officer of Health concerning the containment or management of outbreaks of influenza; and
- (e) in accordance with Regulation 3 or 4.

3 Medical services during containment phase

During a containment phase, these Regulations apply –

- (a) to medical services provided to diagnose whether the person has influenza;
- (b) to medical services provided to treat the person for influenza; and
- (c) where medical services have been provided to the person as described in paragraph (a), to any medical services provided to the person during the period commencing with the provision of the first-mentioned medical services and ending with whichever is the earlier of –
 - (i) a diagnosis that the person does not have influenza;
 - (ii) the expiry of the period of 5 days following the day on which the person is first treated with an antiviral drug.

4 Medical services as alternative to hospital admission during containment or management phase

During a containment phase or management phase, these Regulations apply to any medical services provided to the person, as an alternative to treating the person as an in-patient in the General Hospital, by reason that the General Hospital, as a consequence of an influenza outbreak, does not have the capacity to accept the person as an in-patient.

5 Health insurance - alternative rate of medical benefit

- (1) This Regulation applies where the person provided with medical services to which these Regulations apply is an insured person.
- (2) Notwithstanding the [Health Insurance \(Medical Benefit\) \(Jersey\) Regulations 2005](#), but subject to paragraph (3) –
 - (a) the rate of medical benefit for medical services to which these Regulations apply, provided as described in Regulation 3, shall be –
 - (i) where the medical services are provided between 8 a.m. and 6 p.m. on a day from Monday to Friday (inclusive) or between 8 a.m. and noon on a Saturday, being in either case a day other than a public holiday, £45,
 - (ii) where the medical services are provided on a day or at a time to which clause (i) does not apply, £90;

- (b) the rate of medical benefit for medical services to which these Regulations apply, provided as described in Regulation 4, shall be –
 - (i) where the medical services are provided between 8 a.m. and 6 p.m. on a day from Monday to Friday (inclusive) or between 8 a.m. and noon on a Saturday, being in either case a day other than a public holiday, £75,
 - (ii) where the medical services are provided on a day or at a time to which clause (i) does not apply, £120.
- (3) Where the medical services are provided to the insured person at the same time and place as medical services to which a rate specified in paragraph (2) applies are provided to another person, the rate of medical benefit applicable to the first-mentioned medical services shall be –
 - (a) for medical services described in Regulation 3, £15;
 - (b) for medical services described in Regulation 4, £45.

6 Income support – special payment

- (1) This Regulation applies where the person provided with medical services to which these Regulations apply is not an insured person.
- (2) The person shall be entitled to a special payment in respect of each provision of medical services to which these Regulations apply, in an amount equal to the rate of medical benefit to which the person would have been entitled under Regulation 5, if he or she had been an insured person.

7 Declaration of phases

- (1) The Minister may, for the purposes of these Regulations, and having regard to the advice of the Medical Officer of Health and such other advice as he or she thinks fit, declare the start or end of a containment phase or management phase.
- (2) The Minister shall be taken to have declared the start of a containment phase on the day these Regulations are lodged au Greffe.
- (3) The Minister shall take such steps as he or she thinks necessary to bring any such declaration to the attention of the public.

8 Citation

These Regulations may be cited as the Health Insurance and Income Support (Influenza) (Jersey) Regulations 2009.

ENDNOTES

Table of Legislation History

| Legislation | Year and No | Commencement |
|---|---------------------------------|--------------|
| Health Insurance and Income Support (Influenza) (Jersey) Regulations 2009 | R&O.47/2009 | 19 May 2009 |

Table of Endnote References

There are currently no endnote references