

CareShield Life and Long-Term Care (ElderShield Scheme) Regulations 2021

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No. S 810

**CARESHIELD LIFE AND LONG-TERM CARE ACT 2019
(ACT 26 OF 2019)**

**CARESHIELD LIFE AND LONG-TERM CARE
(ELDERSHIELD SCHEME) REGULATIONS 2021**

In exercise of the powers conferred by section 64 of the CareShield Life and Long-Term Care Act 2019, the Minister for Health makes the following Regulations:

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations are the CareShield Life and Long-Term Care (ElderShield Scheme) Regulations 2021 and come into operation on 1 November 2021.

Application of these Regulations

2. These Regulations apply to every individual mentioned in section 11(1)(b) of the Act.

PART 2

INSURANCE COVER AND RELATED PROVISIONS

Insurance period

3. Each insurance period of an individual's insurance cover under the ESH Scheme is a period of 12 months starting on the date of commencement or renewal of the individual's insurance cover under the former ElderShield Scheme, unless the insurance cover is cancelled or terminated on an earlier date —

- (a) before the transfer date; or
- (b) on or after the transfer date in accordance with this Part.

Commencement of insurance cover

4. An individual's insurance cover under the ESH Scheme is treated as having commenced on the date of commencement of the individual's insurance cover under the former ElderShield Scheme.

End of insurance cover

5. For the purposes of section 12(3)(a) of the Act, an insured person's insurance cover under the ESH Scheme ends if the insurance cover is cancelled or terminated in accordance with regulation 6 or 7.

Cancellation of insurance cover

6.—(1) The Board may cancel an individual's insurance cover under the ESH Scheme if —

- (a) the Board finds that the insurance cover in respect of the individual has been issued in error (including because the individual dies on or before the date of commencement of the insurance cover, and the Board is notified of the individual's death only after that date), and no claim has been accepted by the Administrator under section 16 of the Act in respect of the individual;
- (b) the Board finds that the individual was severely disabled before the commencement of the individual's insurance cover under the ESH Scheme; or
- (c) the individual opts out of the ESH Scheme within 60 days beginning on the commencement of the individual's insurance cover under the ESH Scheme, or within any other period as the Board may allow.

(2) The cancellation under paragraph (1) takes effect on the date of commencement of the insurance cover issued in respect of the individual concerned, as if the insurance cover had not been issued.

Termination of insurance cover

7.—(1) The Board may terminate an individual's insurance cover under the ESH Scheme if —

- (a) the individual —
 - (i) fails to make the required premium payment for the individual's insurance cover at the expiry of 75 days after the renewal date of the individual's insurance cover (called in this Part the grace period); and
 - (ii) has not made the minimum number of premium payments under the ESH Scheme such that the individual's insurance cover under the ESH Scheme does not terminate by reason of the individual's failure to pay the premium for any insurance period;
- (b) the individual dies;
- (c) the individual has fully claimed the benefits under the ESH Scheme;
- (d) the individual has requested to terminate his or her insurance cover under the ESH Scheme;
- (e) the individual's insurance cover under the CSHL Scheme has commenced;
or
- (f) the Board, with the Minister's approval, considers that the exceptional circumstances for the reinstatement of the individual's insurance cover under regulation 8(1)(c) no longer apply.

(2) In the circumstances set out in paragraph (1), the Board may terminate an individual's insurance cover —

- (a) where sub-paragraph (a) of that paragraph applies — on the date immediately after the last insurance period in which the individual has made the required premium payment;
- (b) where sub-paragraph (b) of that paragraph applies —
 - (i) on the date immediately after the date on which the individual dies, if the individual has not made a successful claim under the