

**From:** [Exemptions](#)  
**Cc:** [Exemptions](#)  
**Subject:** Request for Submissions – Private Healthcare Australia – Request for Interim Authorisation.  
[SEC=OFFICIAL] [ACCC-ACCCANDAER.FID2816601]  
**Date:** Thursday, 11 March 2021 3:22:47 PM

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## OFFICIAL

Dear Sir / Madam

The Australian Competition and Consumer Commission (ACCC) recently received an application from Private Healthcare Australia (PHA) on behalf of itself, its members and Members Health Fund Alliance and its members (the **Participating Parties**) for re-authorisation, including a request for the ACCC to grant interim authorisation. A copy of the application for re-authorisation can be found [here](#). The ACCC is seeking submissions from interested parties on PHA's request for interim authorisation by **12pm Wednesday 17 March 2021**. Further details are outlined below.

### **Current authorisation and application for re-authorisation**

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The ACCC previously granted authorisation to the Participating Parties on [17 September 2020](#) which expires on 31 March 2021. The current authorisation allows the Participating Parties to make and give effect to certain arrangements including:

- broadening coverage under health insurance policies to include treatment for policyholders that contract COVID-19;
- broadening health insurance cover for treatment received by telephone or videoconferencing or other models of treatment that substitute for face-to-face interaction;
- providing treatment in policyholders' homes as a substitute for an admission to hospital;
- providing financial relief for policyholders from paying health insurance premiums such as postponement of premium increases and premium waivers; and
- any other measures formulated in response to the COVID-19 crisis as notified to the ACCC by PHA.

PHA is seeking re-authorisation for the conduct described above and is also seeking to expand the conduct to also allow private health funds to make and give effect to arrangements including:

- broadening the category of dependents that are able to remain on an adult's health insurance policy;
- utilising unreleased deferred claims liability previously provisioned during the COVID-19 pandemic; and
- any other measure formulated in response to the COVID-19 crisis or its economic or social effects, as notified to the ACCC by PHA.

PHA is requesting the ACCC grant final authorisation for a period of 6 months from the date the final authorisation is granted.

PHA has requested the ACCC grant interim authorisation so that it can continue to discuss and collaborate on measures given the existing authorisation expires on 31 March 2021. Interim authorisation allows parties to engage in the proposed conduct while the ACCC's considers the application for re-authorisation.

### **Request for submissions on interim authorisation**

The ACCC will need to make a decision on PHA's request for interim authorisation before the 31 March 2021 and we would be grateful for any submissions to be provided by **12pm Wednesday, 17 March 2021**. Alternatively, if you would like to provide comments orally, please contact Simon Bell or Jonathan Koay via the details at the end of this emails. We are seeking submissions on PHA's request for interim authorisation, evidence and views about the likely public benefits, effects on competition and any other public detriment that you consider will result from the proposed conduct.

Your submission will be placed on the [ACCC's authorisation public register on the internet](#) unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register (see [Guidelines for excluding confidential information from the public register for authorisation and notification processes](#) Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests).

Please note that there will be a separate opportunity to provide comments on the substantive application for re-authorisation and we will provide further details on how to make a submission and timing.

This email has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please contact Simon Bell on 02 6243 1232, Jonathan Koay on 03 9658 6436 or [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au).

Regards,

Danielle Staltari  
Director  
Competition Exemptions