

# MinterEllison

15 June 2020

## BY EMAIL ONLY

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Merger and Authorisation Review Division  
Australian Competition & Consumer Commission  
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Dear Ms Dwyer

### Private Healthcare Australia (PHA) – application for authorisation AA1000487 – Fortnightly report to ACCC No 1

1. On 2 June 2020 the Australian Competition and Consumer Commission (**ACCC**) granted conditional interim authorisation to PHA, together with its members, and Members Health Fund Alliance and its members (together, the **Participating Parties**) to make and give effect to arrangements, and to discuss and share information with each other in relation to broadening private health insurance coverage to include COVID-19 treatments and modes of treatment that substitute for face-to-face interaction or admission to hospital, providing financial relief regarding insurance premiums, and other measures as notified to the ACCC to respond to the COVID-19 pandemic (the **Proposed Conduct**), (the **ACCC Conditional Interim Authorisation**).
2. The ACCC Conditional Interim Authorisation is subject to a number of conditions, including:
  - (a) **Condition 2:** PHA will provide a fortnightly report to the ACCC regarding any meetings, discussions, developments and decisions in relation to the Proposed Conduct (**Fortnightly Reports**).
3. The purpose of this letter is to provide the information necessary to comply with this Condition 2, which is set out in the **Annexure** to this letter and the **Attachments** to the Annexure.
4. The Annexure to this letter and the Attachments to the Annexure contain information that is confidential to PHA. This confidential information has been highlighted in the Annexure to this letter and in the Attachments to the Annexure in **red highlighting**. PHA requests that the ACCC treat the highlighted information as strictly confidential and that it be redacted from this document prior to publication on the ACCC's public register.

Please let us know if the ACCC has any questions.

Yours faithfully  
**MinterEllison**

Contact: Noelia Boscana



## Annexure 1 – Condition 2 Fortnightly Report

### 1. Report

1.1 This Fortnightly Report sets out the details of the following three meetings that have occurred since the date of the ACCC Conditional Interim Authorisation that relate to the Proposed Conduct:

- (a) Fortnightly CEO briefing on COVID-19;
- (b) Value of Private Health Meeting; and
- (c) COVID-19 Working Group meeting.

1.2 The relevant details of these meetings set out below are the date of the meeting, attendees, agenda items that relate to the Proposed Conduct and a summary of the topics discussed that relate to the Proposed Conduct. The minutes of each meeting are set out as Attachments to this report.

### 2. Fortnightly CEO briefing on COVID-19 with Dr Rachel David, PHA

2.1 *Date:* 1pm, 2 June 2020

2.2 *Attendees:*

- (a) Rachel David Chief Executive Officer, PHA
- (b) John Hill Chair, PHA
- (c) Gerard Fogarty Defence Health
- (d) Rob Seljak Teachers Health Fund
- (e) John Van Der Wielen HBF Health
- (f) Sharon Waterhouse Phoenix Health Fund
- (g) Mark Fitzgibbon nib
- (h) Sheena Jack HCF
- (i) Simone Tregear Railway & Transport Health Fund
- (j) Matt Walsh Australian Unity Health
- (k) Tim Tez MO Health Pty Ltd (AIA Health)
- (l) Dario Molina CBHS Corporate Health
- (m) Byron Gregory Health Partners
- (n) Brad Joyce Teachers Health Fund
- (o) Andrew Wilson Medibank Private
- (p) Andrew Smith CBHS Health Fund
- (q) Paul Lupo St. Lukes Health
- (r) Ian Whitehead Latrobe Health Services
- (s) Gerard Op De Coul Mildura Health Fund
- (t) Rohan Mead Australian Unity Health
- (u) Camilla Milazzo PHA

- (v) Lisa Minchin PHA
- (w) Jen Eddy PHA
- (x) Ben Harris PHA
- (y) Justin James HIF

2.3 *Agenda items:*

- (a) Premium increase
- (b) Decline in claims
- (c) Accounting standards
- (d) Hospital update

2.4 *Summary:*

[REDACTED]

[REDACTED]

[REDACTED]

2.5 *Minutes:* the minutes of this meeting are in Attachment 1.

**3. Value of Private Health Meeting**

3.1 *Date:* 4.30pm, 9 June 2020

3.2 *Attendees:*

- (a) Matthew Koce Members Health Fund Alliance
- (b) Michael Roff APHA
- (c) James Kemp (delegate for Pat Garcia)
- (d) Steven Rubic Healthscope
- (e) John Hill Director, PHA
- (f) Danny Sims Ramsay Healthcare
- (g) Rachel David Chief Executive Officer, PHA
- (h) Lisa Minchin Executive Assistant, PHA

3.3 *Agenda items:*

- (a) Resumption of elective surgery
- (b) Commonwealth Hospitals Agreement

3.4 *Summary:* The group discussed:

[REDACTED]

[REDACTED]

3.5 *Minutes:* the minutes of this meeting are in Attachment 2.

**4. COVID-19 Working Group meeting**

4.1 *Date:* 4 June 2020

4.2 *Attendees:*

- (a) Ben Harris Director of Policy and Research, PHA
- (b) Christine Smyth Head of Strategy, Defence Health
- (c) Ed Close Chief Executive Australian Residents Health Insurance, nib
- (d) Jen Eddy Director of Media and Communications, PHA
- (e) Jonathan Spiers DGM, PHI Portfolio and Customer Proposition, Medibank
- (f) Rachel David Chief Executive Officer, PHA
- (g) Raj Krishnaswamy Head of Product, GHMBA
- (h) Amanda Lean Director Public Affairs, Bupa
- (i) Sandra Jones Member Services Manager, TUH
- (j) Alice Caldwell Claims Audit Manager, TUH
- (k) Lisa Minchin Office Manager, PHA

4.3 *Agenda items:*

- (a) Elective surgery
- (b) Windfall gain
- (c) Actuarial Institute

4.4 *Summary:* The working group discussed:

[REDACTED]

[REDACTED]

[REDACTED]

4.5 *Minutes:* the minutes of this meeting are in Attachment 3.

## 5. **Next Fortnightly Report**

PHA will submit the next Fortnightly Report pursuant to the ACCC Conditional Interim Authorisation on Monday 29 June 2020.

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