

MinterEllison

3 August 2020

BY EMAIL ONLY

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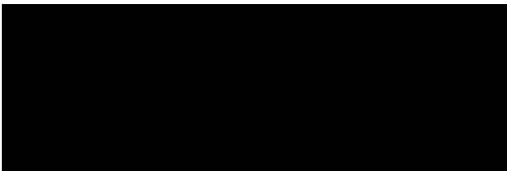
Copy to: mandy.bendelstein@acc.gov.au; isabelle.mauleon-wells@acc.gov.au;
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Dear Ms Dwyer

Private Healthcare Australia (PHA) – application for authorisation AA1000487 – Fortnightly report to ACCC No 4

1. We refer to our letter dated 13 July 2020 in which we provided the third fortnightly report pursuant to condition 2 of the conditional interim authorisation granted to PHA by the Commission.
2. The purpose of this letter is to provide the fourth fortnightly report which relates to the period from 13 July 2020 to 24 July 2020 and is set out in the **Annexure** to this letter and the **Attachments** to the Annexure.
3. 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 – Fortnightly Report to the ACCC No. 4

1. Report

- 1.1 This Fortnightly Report sets out the details of the following two meetings that occurred during the period from 13 July 2020 to 24 July 2020:
- (a) Fortnightly CEO briefing on COVID-19; and
 - (b) 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, 13 July 2020

2.2 *Attendees:*

- (a) Rachel David Chief Executive Officer, PHA
- (b) John Hill Chair, PHA
- (c) Gerard Fogarty Defence Health Limited
- (d) Sharon Waterhouse Phoenix Health Fund Limited
- (e) Mark Fitzgibbon nib Health Funds Ltd
- (f) Simone Tregheagle Railway & Transport Health Fund Ltd
- (g) Matt Walsh Australian Unity Health Limited
- (h) Greg Morris AIA Health Insurance (MO Health Pty Ltd)
- (i) Dario Molina CBHS Corporate Health Pty Ltd
- (j) Byron Gregory Health Partners Limited
- (k) Brad Joyce Teachers Health Fund
- (l) Andrew Wilson Medibank Private Limited
- (m) Andrew Smith CBHS Health Fund Limited
- (n) Paul Lupo St. Lukes Health
- (o) Ian Whitehead Latrobe Health Services Limited
- (p) Gerard Op De Coul Mildura Health Fund
- (q) Rohan Mead Australian Unity Health Limited
- (r) Camilla Milazzo PHA
- (s) Lisa Minchin PHA
- (t) Jen Eddy PHA
- (u) Ben Harris PHA
- (v) Justin James HIF Pty Ltd

(w) Rob Seljak Queensland Teachers' Union Health Fund Limited

(x) John Van Ser Wielen HBF Health Limited

2.3 *Agenda items:*

(a) Windfall gains and the media

(b) Federal Government update

(c) Premium increases

(d) Update by Ben Harris

(e) Update by Celia Moore

(f) Questions

2.4 *Summary:*

(a) Dr David provided an update regarding the media reports regarding windfall gains. She advised that Private Healthcare Australia have worked with the media to communicate the facts regarding these windfall gains, and expects that media interest in this will continue until 1 October 2020.

(d) Mr Moore updated the group that Private Healthcare Australia has been responding to Choice regarding what funds have done to give back to consumers, and asked that funds let her know if they have been giving back to their consumers in new ways, so this can be included in the reports.

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

3. COVID-19 Working Group meeting

3.1 *Date:* 23 July 2020

3.2 *Attendees:*

(a) Rachel David PHA

(b) Lisa Minchin PHA

(c) Ben Harris PHA

(d) Jen Eddy PHA

(e) Amanda Lean BUPA HI Pty Ltd

(f) Jonathan Spiers Medibank Private Limited

(g) Kathleen Weaver The Hospitals Contribution Fund of Australia Ltd

(h) Alice Caldwell Queensland Teachers' Union Health Fund Limited

(i) Christine Smyth Defence Health Limited

(j) Raj Krishnaswamy GMHBA Limited

3.3 *Agenda items:*

- (a) Choice media release
- (b) Premium increases
- (c) Telehealth

3.4 *Summary:*

[REDACTED] The group discussed the Choice media release, which will likely be contained to Twitter and other social media channels. [REDACTED]

[REDACTED] PHA will release an infographic to all Ministers on measures health funds have taken to support consumers during COVID-19.

- (c) The group discussed the criticism Telehealth has received in the media since resurgence of COVID-19 in Melbourne and that continuing with Telehealth post-September would be helpful.

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

4. Next Fortnightly Report

PHA will submit the next fortnightly report pursuant to the conditional interim authorisation on Monday, 10 August 2020.

Attachment 1 – Minutes of Fortnightly CEO briefing on COVID-19 with Dr Rachel David, PHA

Fortnightly CEO briefing on COVID19 with Dr Rachel David, Private Healthcare Australia Ltd (PHA)

1pm, 13/07/2020

Via teleconference

Invitees

Rachel David	CEO, PHA
John Hill	Chair, PHA
Gerard Fogarty	Defence Health Limited
Sharon Waterhouse	Phoenix Health Fund Limited
Mark Fitzgibbon	nib Health Funds Ltd
Simone Tregear	Railway & Transport Health Fund Ltd
Matt Walsh	Australian Unity Health Limited
Greg Morris	AIA Health Insurance (MO Health Pty Ltd)
Dario Molina	CBHS Corporate Health Pty Ltd
Byron Gregory	Health Partners Limited
Brad Joyce	Teachers Health Fund
Andrew Wilson	Medibank Private Limited
Andrew Smith	CBHS Health Fund Limited
Paul Lupo	St. Lukes Health
Ian Whitehead	Latrobe Health Services Limited
Gerard Op De Coul	Mildura Health Fund
Rohan Mead	Australian Unity Health Limited
Camilla Milazzo	PHA
Lisa Minchin	PHA
Jen Eddy	PHA
Ben Harris	PHA
Justin James	HIF Pty Ltd
Rob Seljak	Queensland Teachers' Union Health Fund Limited
John Var Der Wielen	HBF Health Limited

Open

The Chair, Mr Hill opened the meeting at 1pm.

Mr Hill noted the apology received from Emily Amos of Bupa HI Pty Ltd and Tim Tez of AIA Health Insurance.

Windfall gains and the media

Dr David provided an update regarding the media reports regarding windfall gains. She advised that Private Healthcare Australia has worked with the media in an attempt to communicate the facts regarding windfall gains. However, some media outlets already had an established point of view that they were choosing to communicate.

It is expected that the media interest in windfall gains will continue until 1 October 2020.

Federal Government update

Dr David advised that recent calls had been held with Greg Hunt who is understandably preoccupied with COVID-19 and the resurgence in Victoria. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dr David also advised that she will be meeting with the Hospitals this week and will be given an update regarding elective surgery and the current situation in Victoria.

Premium Increases

[REDACTED]

Update by Ben Harris

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Update by Celia Moore

Ms Moore advised that it had been a busy media day.

Private Healthcare Australia put out a media release responding to the Choice narrative and Dr David carried out interviews to provide background regarding what funds have done to give back to consumers.

The group was advised that a piece will also be in the Australian Financial Review tomorrow.

Ms Moore requested that if any Private Healthcare Insurance funds are providing new ways to give back to their consumers, please let her know so it can be included in reports.

Questions

Feedback was provided that Dr David's responses during the media segments were excellent.

[REDACTED]

The meeting closed at 1:30pm.

Attachment 2 – Minutes of COVID-19 Working Group meeting



Private Healthcare Australia
Better Cover. Better Access. Better Care.

Working Group 23 July 2020 MINUTES

Attendees

Rachel David	PHA
Lisa Minchin	PHA
Ben Harris	PHA
Jen Eddy	PHA
Amanda Lean	BUPA HI Pty Ltd
Jonathan Spiers	Medibank Private Limited
Kathleen Weaver	The Hospitals Contribution Fund of Australia Ltd
Alice Caldwell	Queensland Teachers' Union Health Fund Limited
Christine Smyth	Defence Health Limited
Raj Krishnaswamy	GMHBA Limited

Apologies: Ed Close, nib Health Funds Ltd and Sandra Jones, Queensland Teachers' Union Health Fund Limited

The main issues discussed during the meeting were Choice, COVID-19, budget submission and the upcoming premium rounds.

Topics raised:

[REDACTED]

- Discussion was had around the negative criticism Telehealth has had in the media with the resurgence of COVID in Melbourne. Continuing with Telehealth post September would be helpful.

[REDACTED]

[REDACTED]

- Jennifer Eddy, PHA's Director of Media and Communications, mentioned that PHA are going to release another infographic to all the Ministers on the measures health funds have taken to support consumers during COVID-19.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- A question was raised around the reach of the Choice's media release and PHA's response. PHA believe it is mainly contained to Twitter and other social media channels.