



Records Authority  
2012/00651438

**Department of Health**  
*Private Health Insurance*

2013

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## INTRODUCTION

The Department of Health and the National Archives of Australia have developed this Records Authority to set out the requirements for keeping or destroying records for the core business of Private Health Insurance. It represents a significant commitment on behalf of the Department of Health to understand, create and manage the records of its activities.

This Authority is based on the identification and analysis of the business of the Department of Health. It takes into account the agency's legal and organisational records management requirements, and the interests of stakeholders, the agency and the National Archives of Australia.

The Authority sets out those records that need to be retained as national archives and specifies the minimum length of time that temporary records need to be kept. This Authority gives the Department of Health permission under the *Archives Act 1983*, for the destruction of the temporary records described after the minimum retention period has expired. Retention periods for these temporary records are based on: an assessment of business needs; broader organisational accountability requirements; and community expectations, and are approved by the National Archives of Australia on the basis of information provided by the agency.

As changes in circumstances may affect future records management requirements, the periodic review of this Authority is recommended. All amendments must be approved by the National Archives.

## APPLICATION OF THIS AUTHORITY

1. This Authority is to be used to determine how long records must be kept. Records are matched to the relevant core business and records class in the Authority:
  - Where the minimum retention period has expired and the records are not needed for agency business they should be destroyed as authorised in this Authority;
  - Records that have not reached the minimum retention period must be kept until they do; and
  - Records that are identified as Retain as national archives (RNA) are to be transferred to the National Archives of Australia for preservation.
2. This Authority should be used in conjunction with general records authorities such as:
  - the Administrative Functions Disposal Authority (AFDA) and/or AFDA Express issued by the National Archives to cover business processes and records common to Australian Government agencies; and
  - General Records Authority (31) For source (including original) records that have been copied, converted or migrated.
3. The Normal Administrative Practice (NAP) provision of the *Archives Act 1983* gives agencies permission to destroy certain records without formal authorisation. This usually occurs where records are duplicated, facilitative or for short-term use only. NAP does not replace arrangements agreed to in this Authority but can be used as a tool to assist in identifying records for destruction together with an agency's Records Authority or Authorities, and with AFDA and AFDA Express. The National Archives recommends that agencies develop and implement a Normal Administrative Practice policy. Advice and guidance on destroying records as a normal administrative practice and on how to develop an agency NAP policy is available from the National Archives' website at [www.naa.gov.au](http://www.naa.gov.au).
4. Records that are reasonably likely to be needed as evidence in a current or future judicial proceeding or are subject to a request for access under the *Archives Act 1983*, the *Freedom of Information Act 1982* or any other relevant Act must not be destroyed until the action has been completed.
5. Records subject to a disposal freeze must not be destroyed until the freeze has been lifted. Further information about disposal freezes and whether they affect the application of this Authority is available from the National Archives website at [www.naa.gov.au](http://www.naa.gov.au).
6. Where the method of recording information changes (for example from a manual system to an electronic system, or when information is migrated from one system to a new system) this Authority can still be applied, providing the records document the same core business. The information must be accessible for the period of time prescribed in this Authority. The Department of Health will need to maintain continuing

access to the information, including digital information, for the periods prescribed in this records authority or until the information is transferred into the custody of the National Archives.

7. In general, retention requirements indicate a minimum period for retention. The Department of Health may extend minimum retention periods if it considers that there is an administrative need to do so, without further reference to the National Archives. Where the Department of Health believes that its accountability will be substantially compromised because a retention period or periods are not adequate, it should contact the National Archives for review of the retention period.
8. Records coming within 'Retain as national archives' classes in this Authority have been determined to be part of the archival resources of the Commonwealth under Section 3C of the *Archives Act 1983*. The determination of Commonwealth records as archival resources of the Commonwealth obliges agencies to transfer the records to the National Archives when they cease to be current and, in any event, within 15 years of the records coming into existence, under Section 27 of the *Archives Act 1983*.
9. Records in the care of agencies should be appropriately stored, managed and preserved. Agencies need to meet this obligation to ensure that the records remain authentic and accessible over time. Under Section 31 of the *Archives Act 1983*, access arrangements are required for records that become available for public access including those records that remain in agency custody.
10. Appropriate arrangements should be made with the National Archives when records are to be transferred into custody. The National Archives accepts for transfer only those records designated as national archives.
11. Advice on how to use this Authority is available from the Department of Health records manager. If there are problems with the application of the Authority that cannot be resolved, please contact the National Archives.

## CONTACT INFORMATION

For assistance with this authority or for advice on other records management matters, please contact the National Archives' Agency Service Centre.

Queen Victoria Terrace  
Parkes ACT 2600  
PO Box 7425  
Canberra Business Centre ACT 2610

Tel: (02) 6212 3610  
Fax: (02) 6212 3989  
Email: [recordkeeping@naa.gov.au](mailto:recordkeeping@naa.gov.au)  
Website: [www.naa.gov.au](http://www.naa.gov.au)

# AUTHORISATION

## RECORDS AUTHORITY 2012/00651438

**Person to whom notice of authorisation is given:**

Ms Jane Halton PSM  
Secretary  
Department of Health  
GPO Box 9848  
Canberra ACT 2601

**Purpose:**

Authorises arrangements for the disposal of records in accordance with Section 24(2)(b) of the *Archives Act 1983*.

Determines records classed as 'Retain as national archives' in this Records Authority to be part of the archival resources of the Commonwealth under Section 3C of the *Archives Act 1983*.

**Application:**

All core business records relating to Private Health Insurance.

This authority gives permission for the destruction, retention or transfer to the National Archives of Australia of the records described. This authority will apply only with the consent of the agency currently responsible for the business documented in the records described.

**Authorised by**

Len Marsden  
Acting Director-General  
National Archives of Australia

**Date of issue:**

11 December 2013

## PRIVATE HEALTH INSURANCE

The core business of improving the sustainability of private health insurance and regulating the private health insurance industry.

The core tasks associated with private health insurance include:

- developing, implementing and reviewing private health insurance related policies, plans, strategies, and programs;
- processing notifications received from private health insurers regarding changes to insurer rules;
- exchanging information with private health insurers regarding changes to insurer rules;
- assessing annual private health insurance premium submissions for approval;
- declaring facilities as hospitals;
- undertaking enforcement activities to ensure compliance by private health insurers with the governing legislation, secondary legislation and other requirements;
- developing and maintaining the schedule of prostheses that private health insurers are required to pay benefits for (ie the Prostheses List), and implementing recommendations that impact on arrangements for devices on the list;
- negotiating, establishing, managing and reviewing agreements with stakeholders;
- interpreting, reviewing, implementing changes and providing advice on the overseas students' health cover deed;
- collecting and compiling private health insurance related data;
- managing exemptions and appeals;
- providing funding to agencies; and
- contributing to departmental or other agency reforms.

The performance of the core business is supported by general administrative tasks such as:

- providing or receiving advice and other forms of information on private health insurance policy, legislative requirements, regulation, and program management issues;
- developing, implementing and reviewing private health insurance processes, systems and procedures;
- undertaking research and providing data to third parties undertaking surveys;
- liaising and consulting with internal and external stakeholders;
- managing and participating in internal and external meetings and committees;
- preparing and presenting speeches and addresses;
- developing reports and submissions;
- arranging and attending conferences and seminars;
- identifying, assessing and managing risks;
- managing and responding to enquiries and feedback from the public; and
- planning, conducting and facilitating audits.

### Cross References to AFDA Express records authority

*For the preparation of budget estimates, budget proposals, cost modelling, and making financial transactions, use FINANCIAL MANAGEMENT.*

*For development of legislation, including liaising with relevant stakeholders, use GOVERNMENT RELATIONS and/or STRATEGIC MANAGEMENT.*

*For advice to the portfolio Minister and ministerial and cabinet submissions, use GOVERNMENT RELATIONS.*

## PRIVATE HEALTH INSURANCE

*For the management of information and datasets collection, use INFORMATION MANAGEMENT and/or TECHNOLOGY & TELECOMMUNICATIONS.*

*For the procurement of goods and services, use PROCUREMENT.*

### Cross References to other records authorities

*For records documenting statutory and non-statutory advisory bodies, including the Prostheses List Advisory Committee, use the ADVISORY BODIES General Records Authority 26.*

Class no	Description of records	Disposal action
61281	<p>The following significant records documenting:</p> <ul style="list-style-type: none"> <li>• development and implementation of national and high-level internal policies, programs, plans, frameworks and strategies developed to support private health insurance. Includes policies supporting the sustainability of private health insurance for consumers, such as the Private Health Insurance Rebate, the Medicare Levy Surcharge, and the annual premium approval process;</li> <li>• development of private health insurance rules registered as legislative instruments;</li> <li>• private health insurance premium approval process. Includes financial analysis reports, minutes to the Minister, Ministerial decisions, and appeals;</li> <li>• declaring a facility as a hospital. Includes research, correspondence, copies of the declaration made by the Minister or delegate, relevant summary records/registers and records documenting the revoking or withdrawal of the declaration;</li> <li>• development, management and maintenance of the listing of approved prostheses and associated benefit levels to be funded by private health insurers in accordance with relevant health legislation and regulations, currently known as the Schedule to the Private Health Insurance (Prostheses) Rules (the 'Prostheses List'). Includes the master version of the Prostheses List and datasets and associated information about the data fields (eg data dictionaries and data repositories);</li> <li>• exemptions granted and appeals or reviews of decisions made by the agency or by the Minister, or their delegate, under relevant legislation that are precedent setting, relate to issues that are controversial or of public interest, or result in significant changes to agency policy, programs or processes. Includes exemptions to the requirement for lifetime health cover granted to individuals. Includes correspondence, records of appeals and exemptions (including decisions), legal advice, and briefs;</li> <li>• development of high-level reports relating to the core business. Includes final versions, stakeholder consultation and supporting research;</li> <li>• high-level advice given to or received by major stakeholders in support of the core business. Includes final versions of formal advice, submissions, supporting research and briefs;</li> <li>• external and high-level internal committees relating to the core business where the agency provides the Secretariat, is the Australian Government's main representative, or plays a prominent or central role. Includes establishment documentation, agenda, final versions of minutes, reports, briefing notes and tabled papers;</li> </ul>	Retain as national archives

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Class no	Description of records	Disposal action
61281 (cont)	<ul style="list-style-type: none"> <li>• national and sector-wide reviews of private health insurance, including major drafts, submissions and final reports;</li> <li>• outcomes of major internal reviews where the review: investigates controversial matters or matters of public interest; has far reaching implications for the provision of private health insurance, or results in significant changes to agency policy, programs or processes;</li> <li>• signed versions of significant agreements and contracts (including contracts under seal) and supporting documents, where the contracts and agreements: relate to the provision of funding to States and Territories and other Australian Government agencies; are controversial or ground-breaking in nature; or, substantially impact upon the provision of private health insurance in Australia. Includes joint venture agreements, Memorandums of Understanding and deeds of standing offer (eg Overseas Student Health Cover Deeds);</li> <li>• significant breaches of compliance with relevant legislation by private health insurers, where the breach: is controversial or of public interest; results in litigation; has far reaching implications for the provision of private health insurance; or, results in significant changes to agency policy, programs or processes. Includes records of investigations;</li> <li>• outcomes of major research supporting the core business, including demographic research and analysis of private health insurance trends. Includes final research reports (eg reports of annual Informed Consumer Consent Surveys);</li> <li>• significant private health insurance datasets (eg Hospital Casemix Protocol, Dental Data and Risk Equalisation data), including data collected under legislative requirements, used for analysis to support research and evidence based policy development;</li> <li>• final versions of speeches and addresses presented by the portfolio Minister or senior agency staff in support of the core business, including presentations made at conferences; and</li> <li>• master versions of agency publications relating to private health insurance (eg Private Health Insurance Circulars). Includes documents distributed to key internal and external private health insurance stakeholders on topics of interest to the private health insurance industry.</li> </ul> <p><i>[For the production and distribution of agency publications, use PUBLICATION.]</i></p>	
61282	<p>Records documenting:</p> <ul style="list-style-type: none"> <li>• exemptions to the requirement for lifetime health cover granted to, and appeals made by, individuals under relevant legislation, other than those covered in 61281. Includes correspondence, records of appeals and exemptions (including decisions), legal advice, and briefs.</li> <li>• exemptions granted and appeals or reviews of decisions made by the agency or by the Minister, or their delegate, under relevant legislation including exemptions to the requirement for lifetime health cover granted to individuals not covered by class 61281. Includes correspondence, records of appeals and exemptions (including decisions), legal advice, and briefs.</li> </ul>	Destroy 25 years after last action



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Class no	Description of records	Disposal action
61282 (cont)	<i>For litigation related records and legal advice relating to the interpretation of the agency's own legislation, use LEGAL SERVICES.]</i>	
61283	<p>Records documenting:</p> <ul style="list-style-type: none"> <li>• monitoring of, and reporting on, private health insurers for compliance with governing legislation, secondary legislation and any other requirements, and for emerging trends and general information about private health insurance issues, other than those covered in class 61281. Includes insurer rules data contained in business systems (eg Rules Application Processing System);</li> <li>• breaches of compliance with relevant legislation by private health insurers, other than those covered in class 61281. Includes records of investigations; and</li> </ul> <p><i>For litigation related records and legal advice relating to the interpretation of the agency's own legislation, use LEGAL SERVICES.</i></p> <p><i>For the receipt and processing of notifications submitted by insurers documenting changes to insurer rules, use class 61288.]</i></p>	Destroy 15 years after last action
61284	Signed agreements or contracts executed under seal prior to 15 November 2005 with individuals, organisations, government and non-government agencies and companies, relating to the core business, and supporting records: Western Australia. Excludes agreements and contracts covered in class 61281.	Destroy 21 years after completion or other termination of agreement
61285	Signed agreements or contracts executed under seal with individuals, organisations, government and non-government agencies, and companies, relating to the core business, and supporting records: Victoria and South Australia. Excludes agreements and contracts covered in class 61281.	Destroy 15 years after completion or other termination of agreement
61286	Signed agreements or contracts executed under seal with individuals, organisations, government and non-government agencies, and companies, relating to the core business, and supporting records: New South Wales, Queensland, Australian Capital Territory, Northern Territory, Tasmania and Western Australia from 15 November 2005. Excludes agreements and contracts covered in class 61281.	Destroy 12 years after completion or other termination of agreement
61287	Marketing and promotional records, including notifications, relating to the agency's annual Lifetime Health Cover mail-out.	Destroy 10 years after action completed
61288	<p>Records documenting:</p> <ul style="list-style-type: none"> <li>• routine operational administrative tasks supporting the core business; and</li> <li>• private health insurance activities, other than those covered in classes 61281 to 61287.</li> </ul>	Destroy 7 years after action completed