



Number 11 of 2020

**Health (General Practitioner Service and Alteration of Criteria for Eligibility)
Act 2020**



Number 11 of 2020

**HEALTH (GENERAL PRACTITIONER SERVICE AND ALTERATION OF CRITERIA
FOR ELIGIBILITY) ACT 2020**

CONTENTS

Section

1. Definition
2. Amendment of section 45A of Act of 1970
3. Amendment of section 53C of Act of 1970
4. General practitioner medical and surgical service for persons under 8 years of age
5. General practitioner medical and surgical service for persons under 10 years of age
6. General practitioner medical and surgical service for persons under 13 years of age
7. Short title, collective citation and commencement

[No. 11.]

*Health (General Practitioner
Service and Alteration of Criteria for Eligibility) Act 2020.*

[2020.]

ACTS REFERRED TO

Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 (No. 24)

Health Act 1970 (No. 1)

Health Acts 1947 to 2019



Number 11 of 2020

HEALTH (GENERAL PRACTITIONER SERVICE AND ALTERATION OF CRITERIA FOR ELIGIBILITY) ACT 2020

An Act to amend the Health Act 1970 to alter the criteria in relation to eligibility for services under that Act; to provide, incrementally, for the making available of a general practitioner medical and surgical service to persons who are ordinarily resident in the State and who have not attained the age of thirteen years; to provide for other miscellaneous amendments to that Act; and to provide for related matters.

[2nd August, 2020]

Be it enacted by the Oireachtas as follows:

Definition

1. In this Act, “Act of 1970” means the Health Act 1970.

Amendment of section 45A of Act of 1970

2. The Act of 1970 is amended, in section 45A—

(a) by the substitution of the following subsection for subsection (1A):

“(1A) Where—

(a) a person—

(i) was married to another person until that other person’s death,

(ii) was living with another person as a married couple until that other person’s death, or

(iii) was a civil partner as respects another person until that other person’s death,

(b) the death of the other person occurred on or after 1 January 2014, and

(c) the surviving person had attained the age of 70 years at the time of the death of that other person,

the gross income limit applicable to the surviving person in the 3 years following the death of that other person shall—

- (i) as respects the period commencing on 1 January 2014 and ending on the day before the relevant date be €900 per week, not including the income from the portion of his or her savings or similar investments whose capital value does not exceed €72,000, and
- (ii) as respects the period commencing on the relevant date be €1,050 per week, not including the income from the portion of his or her savings or similar investments whose capital value does not exceed €72,000,

but such gross income limit shall apply only as respects such part of the 3 year period as the surviving person is not married, is not living together with another person as a married couple, or does not have a civil partner.”,

- (b) by the substitution of the following subsection for subsection (3):

“(3) The gross income limits for the purposes of this section and section 45(5A) are the following:

- (a) in respect of the period commencing on 1 January 2014 and ending on the day before the relevant date—

- (i) if a person—

- (I) is not married,

- (II) is not living together with another person as a married couple, and

- (III) does not have a civil partner,

his or her gross income limit is €500 per week, not including the income from the portion of the person’s savings or similar investments whose capital value does not exceed €36,000, and

- (ii) if persons—

- (I) are married,

- (II) live together as a married couple, or

- (III) are civil partners as respects each other,

their combined gross income limit is €900 per week, not including the income from the portion of their savings or similar investments whose capital value does not exceed €72,000,

and

- (b) in respect of the period commencing on the relevant date—

- (i) if a person—

- (I) is not married,

(II) is not living together with another person as a married couple, and

(III) does not have a civil partner,

his or her gross income limit is €550 per week, not including the income from the portion of the person's savings or similar investments whose capital value does not exceed €36,000, and

(ii) if persons—

(I) are married,

(II) live together as a married couple, or

(III) are civil partners as respects each other,

their combined gross income limit is €1,050 per week, not including the income from the portion of their savings or similar investments whose capital value does not exceed €72,000.”,

and

(c) by the substitution of the following subsection for subsection (8):

“(8) In this section—

‘civil partner’ has the same meaning as it has in the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010;

‘relevant date’ means the date on which *section 2* of the *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* comes into operation.”.

Amendment of section 53C of Act of 1970

3. Section 53C of the Act of 1970 is amended, in subsection (6), by the substitution of “chief executive officer of the Health Service Executive” for “Director General of the Health Service Executive”.

General practitioner medical and surgical service for persons under 8 years of age

4. The Act of 1970 is amended—

(a) in subsection (4) of section 58, by the substitution of “eight years” for “six years”, and

(b) in subsection (1) of section 58B, by the substitution of “eight years” for “six years”.

General practitioner medical and surgical service for persons under 10 years of age

5. The Act of 1970 is amended—

- (a) in subsection (4) (amended by section 4(a)) of section 58, by the substitution of “ten years” for “eight years”, and
- (b) in subsection (1) (amended by section 4(b)) of section 58B, by the substitution of “ten years” for “eight years”.

General practitioner medical and surgical service for persons under 13 years of age

6. The Act of 1970 is amended—

- (a) in subsection (4) (amended by section 5(a)) of section 58, by the substitution of “thirteen years” for “ten years”, and
- (b) in subsection (1) (amended by section 5(b)) of section 58B, by the substitution of “thirteen years” for “ten years”.

Short title, collective citation and commencement

7. (1) This Act may be cited as the Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020.
- (2) This Act and the Health Acts 1947 to 2019 may be cited together as the Health Acts 1947 to 2020.
- (3) This Act (other than *sections 1, 3* and this section) shall come into operation on such day or days as the Minister for Health, with the consent of the Minister for Public Expenditure and Reform, may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.