

Serial Number 1939/75.



**THE SOCIAL SECURITY (HOSPITAL BENEFITS)
REGULATIONS 1939.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 16th day of June, 1939.

Present :

THE RIGHT HON. M. J. SAVAGE PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by the Social Security Act, 1938, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the regulations hereinafter set forth with respect to hospital benefits under the said Act.

REGULATIONS.

1. These regulations may be cited as the Social Security (Hospital Benefits) Regulations 1939.

DEFINITIONS.

2. In these regulations, unless the context otherwise requires,—

“The Act” means the Social Security Act, 1938 :

“Appointed date” means the date to be determined by the Minister, pursuant to section 79 of the Act, as the date on and after which hospital benefits will be available to the persons entitled thereto in accordance with the Act :

“Approved institution” means an institution (not being a public hospital or a private hospital) as herein defined, which is recognized and approved by the Minister, in accordance with these regulations, as a hospital for the purposes of Part III of the Act :

“Hospital Board” means a Hospital Board under the Hospitals and Charitable Institutions Act, 1926 :

“Minister” means the Minister of Health :

“Private hospital” means a private hospital licensed under Part III of the Hospitals and Charitable Institutions Act, 1926 :

“Public hospital” means a hospital or other institution maintained by a Hospital Board.

COMMENCEMENT OF HOSPITAL BENEFITS.

3. (1) The Minister shall, pursuant to section 79 of the Act, appoint the date on and after which hospital benefits will be available.

(2) Notice of the date appointed by the Minister as aforesaid shall be given in the *Gazette* and in such other manner, if any, as the Minister thinks fit.

PAYMENT FOR HOSPITAL BENEFITS.

4. (1) Where any hospital treatment as defined in section 91 (1) of the Act is afforded, on or at any time after the appointed date, to any person who is entitled to claim hospital benefits under the Act, or to any member of his family, there shall in respect of such treatment be payable out of the Social Security Fund, pursuant to section 92 (1) of the Act,—

(a) Where such treatment is afforded on not more than two days, the sum of 12s. :

(b) In every other case, the sum of 6s. for every day on which any such treatment has been so afforded :

Provided that the day of admission to hospital and the day of discharge from hospital shall together be counted as one day.

(2) For the purposes of this clause the term “ day ” means a period of twenty-four consecutive hours ending at midnight.

5. (1) Where any hospital treatment as aforesaid is afforded in a public hospital, as hereinbefore defined, the prescribed payment shall be made to the Hospital Board and, in accordance with section 92 (2) of the Act, but subject to the provisions of subsection (3) of that section, shall be received by the Board in full satisfaction of its claims in respect of such treatment.

(2) Where any hospital treatment as aforesaid is afforded in a private hospital the prescribed payment shall be made to the licensee or other person entitled to claim payment in respect of such treatment, and, in accordance with section 93 (2) of the Act, shall be received by him in satisfaction to the extent thereof of his claim in respect of such treatment.

(3) Where any hospital treatment as aforesaid is afforded in an approved institution, as hereinbefore defined, the prescribed payment shall be made to the controlling authority of that institution, and, in accordance with section 93 (2) of the Act, shall be received by the controlling authority in satisfaction to the extent thereof of its claims in respect of such treatment.

(4) Any payment made under these regulations in respect of any case to which section 15 of the Hospitals and Charitable Institutions Amendment Act, 1932, or section 81 of the Social Security Act, 1938, is applicable shall be a provisional payment and be subject accordingly to the provisions of the said section 81.

6. Notwithstanding anything in the foregoing provisions of these regulations, payment in respect of any hospital treatment afforded in any private hospital or approved institution may be withheld unless the Minister is satisfied that the amount payable from the Social Security Fund will be accepted in reduction, to the extent thereof, of the charges that would otherwise be payable in respect of such treatment by the patient or any other person.

7. Nothing in the foregoing provisions of these regulations shall be construed to affect the power conferred on the Minister by section 93 (3) of the Act to authorize the payment of a grant from the Social Security Fund in respect of hospital treatment afforded in any private hospital or approved institution (in lieu of payment for individual patients receiving hospital treatment in that hospital or institution).

8. (1) Claims for payment under these regulations shall be made monthly, and every such claim shall relate to the period of one month ending on the last day of the month preceding the making of the claim.

(2) Every such claim in respect of hospital treatment afforded in any public hospital shall be forwarded by the Hospital Board to the Director-General of Health at Wellington, and every claim in respect of hospital treatment afforded in any private hospital or approved institution shall be forwarded by the claimant to the local Medical Officer of Health.

(3) Every such claim shall be supported by such certificates or declarations and by such other documents, if any, as may be required in proof of the facts upon which the claim is based.

(4) Such certificates and declarations shall be given or made on forms to be provided for the purpose by or by direction of the Minister.

(5) For the purpose of enabling claims for payments under these regulations to be verified, every Hospital Board shall keep records, in such forms as the Minister may require or approve, of admissions to and discharges from any hospital or institution in which any hospital treatment is afforded by the Board, with such particulars as the Minister may require as to the nature of the treatment so afforded.

APPROVED INSTITUTIONS.

9. (1) Application for the approval by the Minister for the purposes of these regulations of any institution in which sick or injured persons are received for treatment (not being a public hospital or a private hospital as hereinbefore defined) may be made by the controlling authority of the institution in writing addressed to the Director-General of Health at Wellington.

(2) The approval by the Minister of any such institution may be given subject to such conditions, if any, as he thinks fit, and may be at any time revoked by notice in writing given to the controlling authority under the hand of the Minister.

HOSPITAL BENEFITS IN MATERNITY CASES.

10. Where any hospital treatment within the meaning of these regulations is afforded to any woman who has received or is entitled to claim maternity benefits under the Act, no payment shall be made under these regulations in respect of any such hospital treatment as is received by such woman at any time during the period for which fees are payable under the Social Security (Maternity Benefits) Regulations to any Hospital Board or to the licensee of any private maternity hospital in respect of any maternity benefits afforded to such woman.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 22nd day of June, 1939.
These regulations are administered by the Department of Health.

(H.S.S. 2.)