

**CAYMAN ISLANDS**



# **HEALTH INSURANCE (AMENDMENT) BILL, 2020**

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**A BILL FOR A LAW TO AMEND THE HEALTH INSURANCE LAW (2018 REVISION) AS  
A CONSEQUENCE OF THE ENACTMENT OF THE DOMESTIC PARTNERSHIP LAW,  
2020; AND FOR INCIDENTAL AND CONNECTED PURPOSES**

## PUBLISHING DETAILS

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**Sponsoring Ministry/Portfolio:** Governor's Office



**Memorandum of  
OBJECTS AND REASONS**

This Bill amends the Health Insurance Law (2018 Revision) (“the Law”) as a consequence of the enactment of the Domestic Partnership Law, 2020 and for incidental and connected purposes.

Clause 1 provides the short title and commencement of the legislation.

Clause 2 amends section 2 of the Law to expand the definition of the word “child” to include children of domestic partners and to expand the definition of the word “dependant” to include an unemployed domestic partner. The clause also amends section 2 of the Law to insert definitions of the words “domestic partner”, “domestic partnership” and “unemployed domestic partner”.

Clause 3 amends section 3 of the Law to extend the provision of the Law which deals with compulsory health insurance for domestic partners.



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**A BILL FOR A LAW TO AMEND THE HEALTH INSURANCE LAW (2018 REVISION) AS A CONSEQUENCE OF THE ENACTMENT OF THE DOMESTIC PARTNERSHIP LAW, 2020; AND FOR INCIDENTAL AND CONNECTED PURPOSES**

ENACTED by the Governor in accordance with section 81 of the Constitution, after consultation with the Premier and with the prior approval of a Secretary of State

## Short title and commencement

1. (1) This Law may be cited as the Health Insurance (Amendment) Law, 2020.
- (2) This Law comes into force immediately after the commencement of the *Domestic Partnership Law, 2020*.

## Amendment of section 2 of the Health Insurance Law (2018 Revision) - definitions

2. The *Health Insurance Law (2018 Revision)* is amended in section 2 as follows —
  - (a) by deleting the definition of the word “**child**” and substituting the following definition —

“**child**” means an individual who is under the age of eighteen and who is —

- (a) the offspring of both parties to a marriage, domestic partnership or a common law union; or
  - (b) an individual who has been treated by both parties to a marriage, domestic partnership or common law union as a child of the family, including a step child, an adopted or foster child or a child born to parents who were not married or in a domestic partnership;”;
- (b) in the definition of the word “dependant” by inserting after the word “spouse” the words “or unemployed domestic partner”; and
- (c) by inserting in the appropriate alphabetical sequence the following definitions —
- “ **“domestic partner”** has the meaning assigned by the *Domestic Partnership Law, 2020*;
  - “domestic partnership”** has the meaning assigned by the *Domestic Partnership Law, 2020*; and
  - “unemployed domestic partner”** in respect of an employer or employee, means a legal resident who is the domestic partner of that employer or employee and who —
    - (a) is not living apart from that employer or employee under a deed of separation or order of the court;
    - (b) is not an employer or employee; and
    - (c) is resident in the Islands,and includes a retired person;”.

### **Amendment of section 5 of the Health Insurance Law (2018 Revision) - compulsory health insurance**

**3.** The *Health Insurance Law (2018 Revision)* is amended in section 5 as follows —

- (a) by repealing subsection (4) substituting the following subsection —
  - “(4) Government may, on written application to it by or on behalf of —
    - (a) a seaman fifty-five years of age or older and his dependants;
    - (b) a widow of a seaman;
    - (c) a veteran and his dependants;
    - (d) a widow of a veteran;
    - (e) a surviving domestic partner of a seaman or veteran; or
    - (f) any other person approved by the Cabinet,where that person is not covered by a contract of health insurance, agree to effect a contract of health insurance with an approved insurer



- on behalf of such person on such terms and conditions as are specified in regulations made by the Cabinet in respect thereof.”;
- (b) by repealing subsections (6) and (7) and substituting the following subsections —
- “(6) If a spouse or domestic partner ceases to be the unemployed spouse or unemployed domestic partner of an employee within the meaning of section 2, the obligation imposed on the employer shall, subject to subsection (7), cease to have effect.
- (7) Where an employee and the employee’s spouse or domestic partner are employed by different employers, each employee may, subject to his or her employer’s agreement, elect which employer shall insure both of them or whether they shall be insured separately by each employer.”; and
- (c) by repealing subsection (11) and substituting the following subsection —
- “(11)The children of two employees and who are employed by different employers who are spouses or domestic partners of each other shall be covered under only one insurance contract which shall be determined by the employees.

**Assented to by the Governor the                      day of                      , 2020.**