

GOVERNMENT NOTICE No. 95

REPUBLIC OF TRINIDAD AND TOBAGO

THE NATIONAL INSURANCE ACT, 1971

REGULATIONS

MADE BY THE BOARD OF MANAGEMENT UNDER SECTION 44(4) OF THE NATIONAL INSURANCE ACT, 1971

THE NATIONAL INSURANCE (MEDICAL EXPENSES) REGULATIONS, 1977

1. These Regulations may be cited as the National Insurance (Medical Expenses) Regulations, 1977. Citation

2. In these Regulations—

Definitions

“the Act” means the National Insurance Act, 1971;

“medical practitioner” means a person registered under the Medical Board Ordinance.

3. For the purposes of the Act and these Regulations, “medical expenses” includes doctor’s fees, hospital expenses, the cost of necessary para-medical treatment, the cost of medicines and the cost of travel incidental to an insured person receiving care and treatment. Act No. 35 of 1971 Act No. 35 of 1960 Medical expenses Board to appoint medical referees

4. (1) The Board shall appoint medical practitioners to be medical referees and for the purpose of considering any question referred by the Board medical referees shall be constituted into panel.

Board to appoint medical referees

(2) A panel may comprise one or more medical referees.

5. The Board may refer to medical referees any medical question relating to an insured person in respect of whom a claim is made—

Questions to be referred to medical referees

(a) that he has suffered personal injury by accident arising out of and in the course of his employment; or

(b) that he has developed a prescribed disease.

6. Medical expenses shall be paid from the date of the accident giving rise to the personal injury or the date of the development of the prescribed disease as the case may be for as long as the nature of the insured person’s condition necessitates the incurrence of those expenses.

Period for which medical expenses shall be paid

7. For the purposes of these Regulations, the Board may establish a formulary of pharmaceutical products and dressings that may be prescribed by a medical practitioner for a person entitled to benefit under section 44(3) of the Act.

Board to establish formulary

8. (1) Hospital expenses of an insured person may be paid by the Board direct to Government where such expenses are incurred at a hospital operated by the Government or to a private hospital where such expenses are incurred at that hospital.

Payment of hospital expenses

(2) For the purposes of this regulation the Board may make arrangements with Government on the one hand or with a private hospital on the other for the payment of hospital expenses and may in accordance with such arrangements—

- (a) pay to Government or to the private hospital as the case may be, the actual expenses incurred by the insured person; or
- (b) make grants to Government or to the private hospital as the case may be in such amounts and at such times as may be agreed to cover the expenses of insured persons generally.

Circumstances where Board is not liable to pay hospital expenses

9. Where the Board has made arrangements for the hospitalisation of insured persons at a hospital, it shall not be liable to pay the hospital expenses of an insured person who is admitted to some other hospital, save where facilities under the arrangements of the Board were not immediately available to the insured person and delay may have caused serious risk to his life or grave detriment to his health.

Medical expenses incurred outside Trinidad and Tobago

10. Medical expenses incurred outside Trinidad and Tobago shall be paid by the Board only if the Board is satisfied that treatment required by the insured person was not available locally and that having regard to all other circumstances of the case the insured person was justified in seeking care and treatment abroad.

Travel expenses

11. Where an insured person is required to attend any place for the purpose of receiving care and treatment he shall be paid reasonable expenses for getting to and from that place and where having regard to the condition of that insured person, his medical practitioner certifies that he should be accompanied, reasonable expenses shall be paid for the insured person's escort.

Constant attendance allowance

12. Where in the opinion of the Board, it is necessary that an insured person have constant attendance and care, the Board shall make weekly payments for this purpose.

Conditions attaching to payment of medical expenses

13. An insured person in respect of whom medical expenses are paid by the Board, shall—

- (a) remain under the care of the medical practitioner from whom he first received care and treatment for the injury or the prescribed disease, unless in the opinion of the Board care and treatment should be continued by another medical practitioner in which case he should attend that other medical practitioner;
- (b) follow the instructions of his medical practitioner;
- (c) refrain from doing anything which might retard his recovery;
- (d) submit himself, if so required by the Board, to be examined by a panel of medical referees;
- (e) be admitted to hospital where his medical practitioner considers care and treatment in hospital, advisable.

Made this 27th day of May, 1977.

L. WILLIAMS
Chairman, Board of Management

Laid in the Senate this 31st day of May, 1977.

R. L. GRIFFITH
Clerk of the Senate

Laid in the House of Representatives this 3rd day of June, 1977.

J. E. CARTER
Clerk of the House