NOVA SCOTIA

Health and Wellness

Policy:	Eligibility for Nova Scotia Health Insurance Program
Originating Branch:	Financial Services
Original Approval Date:	2014 ***Effective Date:*** Aug. 1, 2014
Approved By:	**Dr. Peter Vaughan, CD, Deputy Minister Health and Wellness**

Version #: New

1. POLICY STATEMENT

1.1. In accordance with the *Canada Health Act*, Nova Scotia has a publicly administered and funded health care system providing eligible residents of Nova Scotia universal access to medically necessary hospital and health care services.

1.2. The Department of Health & Wellness (DHW) is committed to providing medical services to eligible Nova Scotians through the Nova Scotia Health Insurance Program.

1.3. This policy is developed and maintained by Financial Services, DHW, under the authority of the *Health Services and Insurance Act*, RSNS, 1989, c. 197 or any successor legislation thereto.

2. DEFINITIONS

In this policy:

2.1. **Conventional refugee** is defined as a person who by reason of a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion,

(a) is outside each of their countries of nationality and is unable or, by reason of that fear, is unwilling to avail themselves of the protection of each of those countries, or

(b) not having a country of nationality, is outside their country of former habitual residence and is unable or, by reason of that fear, unwilling to return to that country.

2.2. **Eligible Resident** is defined as a person who is an insured person within the meaning of the *Health Services and Insurance Act*, RSNS, 1989, c. 197 or any successor legislation thereto;

2.3. **Health card** is defined as a unique identification number assigned by the Medical Service Insurance Plan (MSI) to an insured person;

2.4. **Hospital Insurance Plan** is defined as the plan for insured hospital services;

2.5. **Insured Hospital Services** is defined as an insured in-patient service or an out-patient service;

2.6. **Insured Person** is defined as an individual who is eligible and registered with the Program;

2.7. **Insured Service** is defined as an insured hospital service, and insured professional service, or an insured designated service;

2.8. **M.S.I. Plan** is defined as the Medical Services Insurance plan for the payment of providers for providing insured professional services;

2.9. **Person in need of protection** is defined as a person in Canada whose removal to their home country or country where they normally live would subject them personally to a danger of torture, a risk to their life, or a risk of cruel and unusual punishment or treatment.

2.10. **Program** is defined as the Nova Scotia Health Insurance Program, which comprises the Hospital Insurance Plan, the M.S.I Plan and insured designated services;

2.11. **Dependant** is defined as a child, or a legal ward of an adult, who is less than 19 years of age, supported by an adult, and is not married and not living in a common law relationship;

2.12. **Spouse** is defined as a person who is married or is living in a common law relationship. A spouse may be of the same gender.

3. POLICY OBJECTIVES

This policy is established to ensure that:

3.1. All eligible residents of the province are entitled to the Nova Scotia Health Insurance Program upon uniform terms and conditions.

4. APPLICATION

4.1. This policy applies to eligible residents of Nova Scotia as defined by the *Hospital Insurance Regulations.*

4.2. This policy does not apply to:

4.2.1. Members of the Canadian Forces;

4.2.2. Federal inmates;

4.2.3. Members of the North American Treaty Organization (NATO) and their dependants;

4.2.4. Individuals entitled to insured services under the Workers' Compensation Act or any other Act of the Legislature or of the Parliament of Canada.

5. POLICY DIRECTIVES

Basic Eligibility

5.1. Residents of Nova Scotia are eligible for the Program.

5.1.1. A person is considered to be a resident of Nova Scotia if the person meets all of the following:

(a) is legally entitled to remain in Canada;

(b) makes his/her home in Nova Scotia;

(c) is ordinarily present in Nova Scotia (physically present for at least 183 days per calendar year); and

(d) is not a tourist, transient, or visitor.

5.2. Short term absences (less than 30 days) from Nova Scotia are not monitored.

5.3. If an individual's residency is in question, the Department of Health and Wellness/Medavie Blue Cross (DHW/MBC) have the authority to review total absences from Nova Scotia and request a 'Residency Declaration' be completed and notarized.

Moving to Nova Scotia: Canadian Citizens/Permanent Residents

5.4. Permanent residents moving to Nova Scotia from another Canadian province will be eligible for the Program on the first day of the third month following the month of their arrival. *For example, persons arriving on July 12 will become eligible on October 1 of the same year.*

5.4.1. If this person leaves Nova Scotia before their eligibility date, but will be returning to Nova Scotia to live permanently, they may still be eligible for the Program according to the *MSI Regulations.*

5.5. When one spouse moves to Nova Scotia but leaves his/her family behind, that spouse will be considered as temporarily absent from the province of origin for a maximum of 12 months until the second spouse arrives in Nova Scotia. The effective date of coverage will be determined from the arrival date of the latter. *For example, if one spouse arrives in Nova Scotia on May 10 and the other* *spouse arrives on July 9 the eligibility date for both will be October 1 of the same year.*

5.5.1. If a dependant(s) arrives later, his/her eligibility would be the same as their parents

5.6. Children who are born in Nova Scotia before their Canadian parents are eligible for the Program will not be eligible until the parents are. They must be registered in the previous province for the waiting period.

5.7. Dependants who remain in the previous province for educational purposes, will be considered to have moved with the parents and will be eligible on the same date as the parents.

5.8. Children who are born in Nova Scotia to non-Canadian parents will be eligible if the parents are deemed to be "residents."

5.9. Persons moving to Nova Scotia from another country who are applying to be an insured person must reside in Nova Scotia:

(a) for 90 days before that person would be entitled to an absence of up to 183 days, or

(b) for 183 days before that person would be entitled to an extended absence.

5.9.1. A person is exempt from (a) and (b) if they leave Nova Scotia for employment reasons and the immediate family adheres to the above requirements.

5.10. Persons moving to Nova Scotia from another country to live permanently are eligible for the Program on the date of their arrival in the province provided they are Canadian citizens or are in possession of Landed Immigration documents now referred to as "Permanent Residents".

5.11. Canadian citizens, who come to Nova Scotia to study from another country, are not eligible unless they will be students in Nova Scotia for more than one school year.

Moving to Nova Scotia: Criteria for Non-Canadians

5.12. Persons moving to Nova Scotia on a permanent basis from other countries who are not Canadian citizens or permanent residents are governed by the following:

5.12.1. Convention Refugees, persons in need of protection and Non-Canadians married to Canadian Citizens/Permanent Residents (copy of marriage certificate required), who are in possession of any other document and have applied for Permanent Resident status in Canada, will be eligible for the Program on the date of application for Permanent Resident status provided they are in possession of a letter from the Department of Citizenship and Immigration Canada stating that they have applied for Permanent Residence.

5.12.2. Non-Canadians married to Canadian Citizens/Permanent Residents (copy of marriage certificate required), who are in possession of any other document and who have applied outside Canada for Permanent Resident status, will be eligible on the date of arrival provided they are in possession of a letter from the Department of Citizenship and Immigration Canada indicating their application for Permanent Residence.

5.12.3. Persons who have applied for Permanent Resident status within/outside Canada cannot register for the Program until Permanent Resident status has been granted. At that time, their coverage will be backdated to the date of application for Permanent Resident status or the date of arrival in Nova Scotia (whichever is later), provided they are in possession of a letter from the Department of Citizenship and Immigration Canada stating the date of application for permanent residence.

Moving to Nova Scotia: Work Permits

5.13. Persons moving to Nova Scotia from another country, who are in possession of a work permit, are eligible to apply for the Program upon their arrival in Nova Scotia, provided they are able to produce a work permit valid for a minimum of 12 months and have signed a work permit declaration.

5.13.1. Dependants of such persons, who are legally entitled to remain in Canada, will be granted coverage on the same basis once the worker has gained entitlement.

5.13.2. At the expiration of each work permit, a copy of the renewed document must be presented and a work permit declaration must be signed every 12 months. Program coverage is extended for a maximum of 12 months at a time. If a worker leaves Nova Scotia for more than 31 consecutive days, not in the course of their employment, their coverage will be terminated on the day of departure from Nova Scotia.

5.13.3. Once coverage has terminated the person is to be treated as never having qualified for health services coverage as herein provided and must comply with the above requirements before coverage will be extended to him/her or their dependents.

5.14. Persons holding diplomatic passports and employees of North Atlantic Fisheries Organization (NAFO) will be governed by the work permit regulations.

5.15. Religious Workers from outside Canada are governed by the same regulations as foreign workers. If they do not possess a work permit they must have a Visitor Visa (Case Type 13 or Case Type 10) which indicates that they are a religious worker.

Moving to Nova Scotia: Study Permits

5.16. Persons moving to Nova Scotia from another country who are in possession of a Study Permit will be eligible for the Program on the first day of the thirteenth month following the date of their arrival, providing they have not been absent from Nova Scotia for more than 31 consecutive days (unless required in the course of their studies).

5.16.1. Application to the Program may occur within 30 days of their eligibility date. *For example, a student arriving in Nova Scotia on August 1 will be eligible on September 1 of the year following their arrival and may apply for coverage on August 1 of the year following their arrival.*

5.16.2. A copy of the study permit is required and students must sign a study permit declaration stating they have not been outside of Nova Scotia for more than 31 consecutive days during the previous 12 months. Upon expiration of each study permit, a copy of the renewed document must be presented. A study permit declaration must be signed every 12 months. Any time that the student is absent from Nova Scotia for more than 31 consecutive days, unless required in the course of their studies, coverage will be terminated as of the date of departure.

5.16.3. Dependants of such persons, who are legally entitled to remain in Canada, will be granted coverage on the same basis once the student has gained entitlement.

5.16.4. Program coverage is valid for a maximum of 12 months after each study permit declaration is signed and only for services received within Nova Scotia as indicated on their health card.

5.17. Persons moving to Nova Scotia from another country who are in possession of a study permit and are also working as teaching or research assistants at any university in Nova Scotia will be eligible to apply for the Program on their date of arrival, providing that they have a study permit valid for a minimum of 12 months, and

5.17.1. They must submit a letter signed by the Head of the university faculty indicating that the student will be employed as a teaching or research assistant.

5.17.2. A copy of the study permit will be taken and they must sign a study permit declaration. At the expiration of each Permit, a copy of the renewed document must be presented. A study permit declaration must be signed every 12 months.

5.17.3. Any time that the student is absent from Nova Scotia for more than 31 consecutive days, unless required in the course of their studies/work, coverage will be terminated on the day of departure.

5.17.4. Program coverage is extended for a maximum period of 12 months at a time and only for services received within Nova Scotia as indicated on their health card.

5.17.5. Dependants of such persons, who are legally entitled to remain in Canada, will be granted coverage on the same basis once the student has gained entitlement.

Moving from Nova Scotia

5.18. Persons moving permanently from Nova Scotia to another Canadian province will be covered by the Program until the last day of the second month following the date of arrival in their new province. *For example, a person who left Nova Scotia on June 30 and arrived in Alberta on July 4 will have their Nova Scotia coverage terminated September 30 of the same year.*

5.18.1. In a case where one spouse arrives in the new province before the other spouse, the termination date is determined by the date of arrival of the latter.

5.19. If a person moves to another province and has their Nova Scotia coverage terminated but returns to Nova Scotia before that termination date, their coverage will be reinstated to their original eligibility date.

5.20. Persons moving from Nova Scotia, to live in another country, will have their coverage terminated on the date of departure from Canada.

5.21. Foster children who are wards of Nova Scotia but live in another province will be covered in the new province with the usual three-month waiting period. They are considered residents of the new province.

Temporary Absences from Nova Scotia

5.22. In the following situations, a person and their dependant(s) are exempt from the 183 day requirement in the definition of 'ordinarily present in Nova Scotia':

5.22.1. Students and their dependants temporarily absent from Nova Scotia and in full-time attendance at an educational institution will remain eligible for the Program provided they supply a letter each year from the institution which states they are registered as a full-time student. Program coverage will be extended on a yearly basis pending receipt of said letter.

5.22.2. Workers and Missionaries whose employment requires that the person travel frequently outside Nova Scotia.

5.22.3. Persons who engage in employment (including volunteer/research) outside Canada which does not exceed 24 months; providing the person has already met the residency requirements.

5.22.4. Workers, married or single, who leave Nova Scotia to seek employment elsewhere within Canada, will remain covered by the Program for up to 12 months provided they do not establish residence in another province, and it is their intention to return permanently to Nova Scotia if they do not find such employment. Workers who do this year after year would be eligible for coverage in the province where they spend the majority of their time.

5.22.5. Married workers who are employed outside of Nova Scotia whose families remain in Nova Scotia will remain covered by the Program provided they return to Nova Scotia on a regular basis. Single workers in this same situation may also remain covered by the Program provided they do not establish residence elsewhere and return to Nova Scotia on a regular basis.

5.22.6. Persons, and their dependants, may be absent from Nova Scotia for six to 12 months and may continue to be covered by the Program provided they intend to return permanently to Nova Scotia at the end of this absence. This coverage can be granted once every six years provided they have met the eligibility requirements in the previous five years.

5.22.7. Residents who are employed in the Public Service of the province of Nova Scotia can maintain coverage for an absence of up to two years.

5.22.8. University sabbaticants will be treated as temporarily absent and will be governed by the temporary absence guidelines stated above.

5.22.9. Residents who are vacationing outside of Nova Scotia for not more than 213 days in a calendar year will be deemed a resident if the following conditions are met:

(a) The resident communicates to MSI of their absence from Nova Scotia;

(b) The resident does not establish residency outside Nova Scotia;

(c) New or returning residents must be physically present in Nova Scotia for at least 183 days prior to the absence.

Miscellaneous

5.23. Persons who come to Nova Scotia from another province to be full-time students are not eligible for the Program. They will normally remain covered by their home province. Full-time students whose spouse is employed full time in Nova Scotia will however be eligible to apply.

5.24. Persons who are released from the Canadian Forces will be eligible for the Program on their date of release provided they are a resident of Nova Scotia on their date of release.

5.25. Non-residents in Municipal or Provincial jails (who are Canadian citizens) are eligible for the Program on the date of incarceration. If they leave Nova Scotia upon their release, they will be given the normal termination date for persons leaving the province.

5.26. Canadian Citizens/Permanent Residents who are released from a Federal Penitentiary should be eligible on their date of release by the province where they were incarcerated. *For example, a person released from a Federal Penitentiary in New Brunswick on January 27 and arrived in Nova Scotia on the same date will not be covered in Nova Scotia until April 1 of the same year. This person would be eligible for coverage with New Brunswick Medicare from January 27 until March 31.*

5.27. When a child is placed for adoption, the province where the child will be living should provide coverage from the first day of placement. Also, if a mother is temporarily absent from her home province and gives birth to a child that she places for adoption, the province where the child was born will provide first day coverage.

5.28. Canadian professional athletes who move to Nova Scotia should remain covered by their home province provided they return to their home province during the 'off season'. However, if they decide to become permanent residents of NS, they may apply for the Program if they meet the normal eligibility requirements. Professional athletes from other countries will have to meet the normal eligibility requirements and may apply if they become permanent residents of NS.

5.29. Professional athletes who are permanent residents of Nova Scotia who must reside temporarily in other provinces during their sporting season will remain covered by the Program provided they return to Nova Scotia during their 'off season'.

6. POLICY GUIDELINES

6.1. Nova Scotia will follow the guidelines of the Interprovincial Agreement on Eligibility and Portability.

7. ACCOUNTABILITY

7.1. For the purpose of administration of this policy, accountability is delegated to the Deputy Minister of Health and Wellness by the Minister of Health and Wellness.
7.2. The Department of Health and Wellness' Chief Financial Officer and the Director, Insured Services, Financial Services, have the responsibility for the on-going enforcement of this policy.
7.3. This policy is issued under the authority of the Department of Health and Wellness, in accordance with the *Health Services and Insurance Act.*
7.4. This policy is developed and managed by the Insured Services Section of the DHW. The program is administered by Insured Services in collaboration with MBC.

8. MONITORING

The DHW's Chief Financial Officer and the Director, Insured Services, Financial Services, will monitor the implementation, performance and effectiveness of this policy.

9. REFERENCES

9.1. *Canada Health Act*
9.2. *Health Services & Insurance Act*
9.3. *Hospital Insurance Regulations*

9.4. Interprovincial Agreement on Eligibility and Portability
9.5. *Immigration and Refugee Protection Act*
9.6. *M.S.I. Regulations*

10. VERSION CONTROL

Version Control: August 5, 2014	Updated Policy [Version # New /August 5, 2014, (Replaces 5.1 and 5.21.9. sections) and all previous versions.]

11. INQUIRIES

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