

# Call for legal changes to protect adopted children

**Children's Ombudsman Emily Logan** has called for legislation to be amended to ensure adopted children have the same automatic right to private health insurance.

Logan wrote to Minister for Health Dr James Reilly after a concern was raised with her office.

Legislation governing the health insurance sector forces insurers to insure children on their parents' health insurance policies automatically, once they are added soon after the birth. This is irrespective of any medical conditions the child might have before applying for health insurance.

According to Logan, that automatic right does not hold for adopted children. There is a legal loophole that allows health insurers to require parents of adopted children to wait for up to five years before the child can get health insurance, although insurers can use their discretion.

"I have written to the Minister for Health to recommend that the relevant regulations be changed to allow for an exception for adopted children to the general principle that pre-existing conditions are not covered, and to ensure that adopted children can be added to their parents' insurance policies in a manner similar to children born to the family," said Logan.

It is understood that the issue arose with one of the main health insurers, which cited an exemption under existing legislation in correspondence.

The Ombudsman's office said it was concerned that this was a widespread problem.

A spokesman for the Health Insurance Authority, the industry regulator, said: "In general, adopted children are treated in the same way as newborn children by the main insurers.

"Once they are insured within 13 weeks of the adoption, the practice is to waive waiting periods, irrespective of any pre-conditions."

**By Susan Mitchell**



**Children's Ombudsman Emily Logan**