

VISA PAK ISSUE 522 — 9 SEPTEMBER 2022

Increase of significant-cost threshold in residence health instructions

Introduction — A review of the significant-cost threshold in residence health instructions has been reviewed and increased from \$41,000 to \$81,000.

Immigration instructions A4.10 require applicants for residence class visas to have an acceptable standard of health. If an Immigration New Zealand (INZ) medical assessor (MA) considers there is a relatively high probability that an applicant's medical condition(s) will require health services costing in excess of \$41,000, the applicant will not be considered to have an acceptable standard of health (ASH) (see A4.10.2).

A review of the cost threshold referred to above has been undertaken in consultation with the Ministry of Health (MOH). As a result, the threshold increased from \$41,000 to \$81,000 on 4 September 2022.

Why has the significant-cost threshold been updated?

As the threshold has not been reviewed for some time it is appropriate to update it to reflect current health service costs. The MOH has provided INZ with the updated figure by using the methodology that produced the previous threshold and applying it to recent health data.

Resident visa applications accepted on or after 4 September 2022

Resident visa applications must be assessed against the immigration instructions applicable on the date the application was accepted. That means that applications accepted on or after 4 September 2022 must be assessed against the new threshold of \$81,000.

Resident visa applications accepted before 4 September 2022 including those returned for reassessment by the Immigration and Protection Tribunal

Any resident visa application accepted before 4 September 2022, including those returned for reassessment by the Immigration and Protection Tribunal, must be assessed against the

immigration instructions applicable on the date the application was accepted. This is because changes to residence instructions cannot be applied retrospectively.

This means that if a resident visa applicant has a health condition considered to impose costs over \$41,000 and their application was accepted before 4 September 2022, they will still be deemed to have a medical condition likely to impose significant costs and/or demands on New Zealand's health services and therefore assessed as not being ASH.

If an applicant is determined not to be ASH, a medical waiver may be considered.

When considering a medical waiver, an immigration officer (IO) must follow the normal process including considering the specific circumstances of the applicant, which includes the degree to which the applicant would impose significant costs and/or demands on New Zealand's health and/or education services (as per A4.70(c)(ii)). A factor that may be given consideration when undertaking a medical waiver is the significant cost threshold increasing since the application was submitted.

In order to ensure relevant information is received by IOs, the Health Assessment Team (HAT) has been asked to include the lodgement date of associated resident visa applications in health case referral notes for MAs. When completing assessments on these cases, MAs have been asked to indicate in assessment notes when an applicant has a health condition(s) expected to cost between \$41,000 and \$81,000. The HAT should then add that information to the health assessment outcome note in the Immigration Health System (IHS) so that the immigration officer is aware of this information when progressing the application.

MAs may also indicate that an applicant has a medical condition(s) that is likely to impose costs greater than \$81,000 even though their application was submitted before the date the threshold increased. Recording the outcomes in this manner assists in transitioning to the new threshold.

IOs should always refer to the threshold amount applicable at the time an application was accepted in any correspondence to applicants, regardless of the likely costs indicated by HAT or an MA.

Further information

Please contact the [Immigration Health Team](#) if you have any questions about this change or need any advice regarding the assessment of residence visa application accepted before 4 September 2022 where an applicant has a health condition expected to cost between \$41,000 and \$81,000.