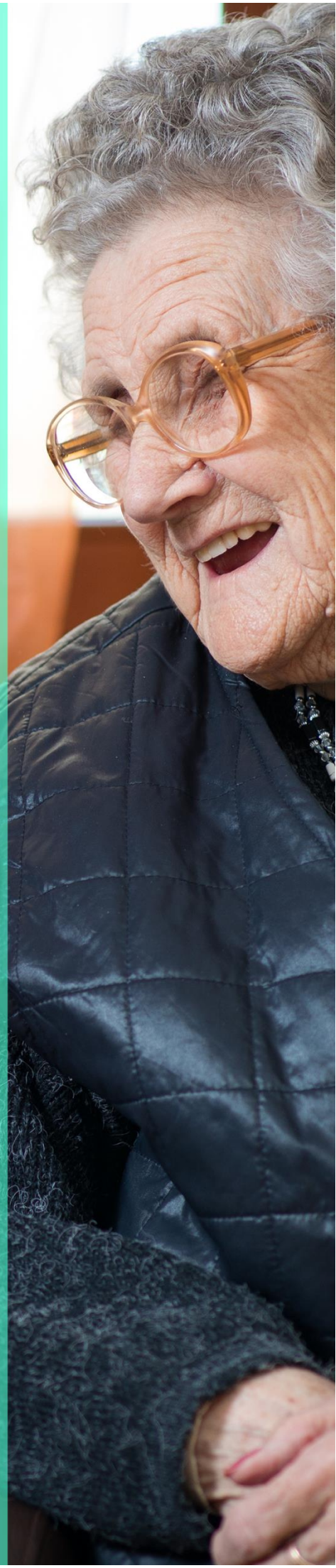


FAIR DEAL FUNDING GUIDE



Elm Hall
NURSING HOME

OUR PEOPLE CARE



Section 1: Detailed Guidance Notes

No.	Section Title	Page
1.	Introduction	4
2.	Applying for the Scheme	4
3.	Care Needs Assessment	5
4.	Financial Assessment	6
5.	Nursing Home Loan (“Ancillary State Support”)	8
6.	Care Representative	8
7.	Next Steps – Provision of Support and Choice of Nursing Home	10
8.	Reviews/Appeals	11
9.	Repayment of the Nursing Home Loan	12
10.	Existing Nursing Home Residents	14
11.	Quality and Standards	15

Section 2: Frequently Asked Questions

No.	Section Title	Page
1.	Introduction	16
2.	Applying for the Scheme	17
3.	Care Needs Assessment	18
4.	Financial Assessment	18
5.	Nursing Home Loan (“Ancillary State Support”)	20
6.	Care Representative	21
7.	Next Steps – Provision of Support and Choice of Nursing Home	23
8.	Reviews/Appeals	24
9.	Repayment of the Nursing Home Loan	24
10.	Quality and Standards	26
	Appendix 1 - Examples of the Financial Assessment	27

1. Introduction:

This booklet is for information purposes only. We are happy to guide you regarding the fair deal application process.

The application for Fair Deal must be made by you or your personal representative to the Nursing Homes Support Services who will deal with your application.

The Nursing Homes Support Scheme is a scheme of financial support for people who need long-term nursing home care. It replaces the Subvention Scheme which has been in existence since 1993.

Under the Nursing Homes Support Scheme, you will make a contribution towards the cost of your care and the State will pay the balance. This applies whether the nursing home is public, private or voluntary.

The scheme has a number of steps and these are set out in the rest of this booklet.

If you require additional assistance, or would like to discuss placement at Elm Hall Nursing Home Please contact: David Wallace, Director of Nursing on 01-6012399 or email don@elmhall.ie

2. Applying for the Scheme:

In order to apply for the scheme you must be ordinarily resident in the State. Ordinarily resident means that you have been living in the State for at least a year or that you intend to live here for at least a year.

Applications are made to your local Nursing Homes Support Office on the standard application form. There are three steps to the application process.

Step 1 is an application for a Care Needs Assessment. The Care Needs Assessment identifies whether or not you need long-term nursing home care.

Step 2 is an application for State Support. This will be used to complete the Financial Assessment which determines your contribution to your care and your corresponding level of financial assistance (“State Support”).

Steps 1 and 2 must be completed by all applicants (if you were resident in a nursing home before the scheme started please see section 10 for further information).

Step 3 is an optional step which should be completed if you wish to apply for the Nursing Home Loan (this is termed “Ancillary State Support” in the legislation). The loan is explained in section 5 of this booklet.

The application form should be completed and signed by the person applying for nursing home care. However, in certain cases, another person may apply on their behalf as explained below.

Where a person may need care, and because of ill-health, a physical disability or a mental condition,

is unable to make an application for a care needs assessment, a specified person may apply for a care needs assessment on their behalf.

Where a person has reduced ability to make decisions (i.e. diminished mental capacity), the specified person may also make the application for State Support on their behalf.

A specified person is:

- a) If you are a ward of court, your Committee,
- b) A person appointed under a valid, registered enduring power of Attorney who is not restricted from applying for the scheme,
- c) A care representative appointed under the Nursing Homes Support Scheme Act (see section 6 of this booklet),
- d) Your spouse or partner
- e) A relative of yours who is 18 years of age or over.
- f) A next friend appointed by a court,
- g) Your legal representative, or
- h) A registered medical practitioner, nurse or social worker.

The people listed (a)-(c) have first priority over those listed at (d)-(h). This means that they have the right to act as a specified person ahead of the other categories. However, the people listed (a)-(c) may consent in writing to a person with lesser priority acting as the specified person.

Where a person has reduced ability to make decisions and wishes to apply for the Nursing Home Loan, only the people listed (a)-(c) above may make the application (see section 6 of this booklet for further information).

3. Care Needs Assessment:

The Care Needs Assessment identifies whether or not you need long-term nursing home care. Its purpose is to ensure that long-term nursing home care is necessary and is the right choice for you. The assessment will consider whether you can be supported to continue living at home or whether long-term nursing home care is more appropriate.

The Care Needs Assessment will be carried out by appropriate healthcare professionals, for example, a nurse etc., appointed by the HSE. An assessment may be completed at any time in a hospital or a community setting such as your own home. The assessment will include consideration of the following:

- your ability to carry out the activities of daily living, e.g. bathing, shopping,
- dressing and moving around,
- the medical, health and personal social services being provided to you or available to you both at the time of the carrying out of the assessment and generally,
- the family and community support available to you, and
- your wishes and preferences.

Please note that the assessment may include a physical examination by a healthcare professional.

The results of the Care Needs Assessment will be submitted to the HSE in the form of a report called a Common Summary Assessment Report or CSAR. Based on the report, the HSE must decide

whether or not long-term nursing home care is the most appropriate option. Once a decision is made, you will be notified, in writing, within 10 working days. You will be given a copy of the Report and the reasons for the decision.

You must be assessed as needing nursing home care in order to be eligible for either State Support or the Nursing Home Loan.

4. Financial Assessment:

The Financial Assessment looks at your income and assets in order to work out what your contribution to care will be. The HSE will then pay the balance of your cost of care. For example, if the cost of your care was €1,000 and your weekly contribution was €300, the HSE will pay the weekly balance of €700. This payment by the HSE is called State Support.

The Financial Assessment looks at all of your income and

assets. Income and assets:

Income includes any earnings, pension income, social welfare benefits/allowances, rental income, income from holding an office or directorship, income from fees, commissions, dividends or interest, or any income which you have deprived yourself of in the 5 years leading up to your application.

Broadly speaking, an asset is any material property or wealth, including property or wealth outside of the State. Within the legislation, assets are divided into two distinct categories, namely Cash Assets and Non-Cash Assets. Cash assets include savings, stocks, shares and securities. Non-Cash assets include all forms of property other than cash assets, for example a person's principal residence or land. In both cases, the assessment will also look at assets which you have deprived yourself of in the 5 years leading up to your application.

Details of income and assets are contained in the application form for the scheme.

If you are a member of a couple, the assessment will be based on half of the couple's combined income and assets. For example, if a couple's income was €600 per week, the assessment of the person needing care would be based on 50% of €600, or €300. In other words, the person needing care would be considered to have a total income of €300 per week.

A couple is defined as:

(a) a married couple who are living together or (b) a heterosexual or same sex couple who are cohabiting as life partners for at least three years.

The assessment will not take into account the income of other relatives such as your

children. Your Contribution to Care

Having looked at your income and assets, the Financial Assessment will work out your contribution to care. You will contribute 80% of your assessable income and 7.5% of the value of any assets per annum (5% of assets if the application was made prior to the 25th July 2013). However, the first €36,000 of your assets, or €72,000 for a couple, will not be counted at all in the financial assessment.

Where your assets include land and property in the State, the 7.5% contribution based on such assets may be deferred and collected from your estate. This is an optional Nursing Home Loan element of the scheme which is legally referred to as “Ancillary State Support” (see section 5 below).

Your principal residence will only be included in the financial assessment for the first 3 years of your time in care. This is known as the 22.5% or ‘three year’ cap (15% if application was made prior to the 25th July 2013). It means that you will pay a 7.5% contribution based on your principal residence for a maximum of three years regardless of the time you spend in nursing home care. After 3 years, even if you are still getting long-term nursing home care, you will not pay any further contribution based on the principal residence. This ‘three year’ cap applies regardless of whether you choose to opt for the loan or not (see section 5).

In the case of a couple, the contribution based on the principal residence will be capped at 11.25% (7.5% if the application was made prior to the 25th July 2013) where one member of the couple remains in the home while the other enters long term nursing home care, i.e. the ‘three year’ cap applies. Where a person opts for the nursing home loan in respect of the principal residence, their spouse or partner can also apply to have the repayment of the loan deferred for their lifetime (see section 9).

All other assets will be taken into account for as long as you are in care.

The ‘three year’ cap will also extend to farms and businesses in circumstances where:

- (i) the person has suffered a sudden illness or disability which causes them to need long-term nursing home care, and
- (ii) the person or their partner was actively engaged in the daily management of the farm or business up until the time of the sudden illness or disability, and
- (iii) a family successor certifies that he or she will continue the management of the farm or business.

This measure is intended to ensure the financial sustainability of family farms and businesses in cases where a person suffered a sudden illness and did not have an opportunity to put appropriate succession arrangements in place.

Finally, there are important safeguards built in to the Financial Assessment which are worth noting.

- Nobody will pay more than the actual cost of care.
- You will keep a personal allowance of 20% of your income or 20% of the maximum rate of the State Pension (Non-Contributory), whichever is the greater.
- If you have a spouse/partner remaining at home, he/she will be left with 50% of the couple’s income or the maximum rate of the State Pension (Non-Contributory), whichever is the greater.
- If both members of a couple enter nursing home care, they each retain at least 20% of their income, or 20% of the maximum rate of the State Pension (Non-Contributory), whichever is the greater.

5. Nursing Home Loan (“Ancillary State Support”):

As outlined above, where your assets include land and property in the State, the contribution based on such assets may be deferred. This means that you do not have to find the money to pay this contribution during your lifetime. Instead, if approved, the HSE will pay the money to the nursing home on your behalf and it will be collected after your death.

This is an optional benefit of the scheme. It is effectively a loan advanced by the State which can be repaid at any time but will ultimately fall due for repayment upon your death. Its purpose is to ensure that you don't have to sell assets such as your house during your lifetime. The legal term for the Nursing Home Loan is “Ancillary State Support”. You may choose to apply for this element of the scheme at the date of initial application or at any stage while resident in the nursing home.

In order to apply for the Nursing Home Loan you must provide written consent to having a Charging Order registered against your asset. If you are part of a couple, your spouse/partner must also request the payment of the loan and you must both consent to having the Charging Order registered against the interest of you and your spouse/partner in the asset. The Charging Order is a simple type of mortgage which secures the money loaned by the HSE. Subject to your consent, the HSE is responsible for making the Charging Order, registering it against your asset and making Nursing Home Loan payments to the nursing home on your behalf. You will not need to do anything (although the HSE may need to check with you about the information in your application).

If a person does not have the capacity to consent to the Nursing Home Loan and the Charging Order, a Care Representative will need to be appointed to act on his/her behalf. A person appointed under Enduring Power of Attorney or the Committee of a Ward of Court can also make an application in such circumstances (see section 6 below for full details).

You may wish to consider taking independent legal advice if applying for the Nursing Home Loan and you are free to do so.

The repayment of the Nursing Home Loan is dealt with in section 9 of this booklet.

6. Care Representative:

Role of a Care Representative

A Care Representative is only required where a person has reduced capacity to make certain decisions (i.e. diminished mental capacity) *and* wishes to apply for the Nursing Home Loan.

The Care Representative is appointed by the Circuit Court. Their role is to act on behalf of the person in respect of the Nursing Homes Support Scheme and especially in respect of the Nursing Home Loan. They can also act on behalf of the person in relation to making an application for a Care Needs Assessment, State Support, or any other matter relating to the scheme. The list of people who can apply to be a Care Representative is set out below.

Persons who can apply for Appointment as a Care Representative

The following persons, in order of priority, may apply to be appointed as a Care Representative once they are 18 years of age or over:

1. Your spouse/partner,
2. Your parent,
3. Your child,
4. Your brother or sister (whether of the whole or half blood),
5. Your niece or nephew,
6. Your grandchild,
7. Your grandparent,
8. Your aunt or uncle,
9. A person who appears to the court to have a good and sufficient interest in your welfare, other than -
 - the owner of a nursing home in which you reside or are likely to reside, or
 - a medical practitioner who examined you and prepared a report for the Court in relation to your capacity.

A person is considered to be of diminished mental capacity if, in relation to a decision on applying for the Nursing Home Loan and consenting to the Charging Order, he or she is unable:

- a) to understand the information relevant to the decision,
- b) to retain that information,
- c) to use or weigh that information as part of the process of making the decision, or
- d) to communicate his or her decision (whether by talking, using sign language, communicating through a third party or any other means).

Two reports from two separate registered medical practitioners are required by the Court as evidence that a person is of diminished mental capacity. Your doctor may be able to assist you in obtaining these reports.

Procedure for Appointment as a Care Representative:

The application for appointment must be made to the County Registrar in any county in the Circuit in which the person requiring a care representative now lives or in which he or she has lived at any time during the past three years.

In order to make an application, the following documents must be lodged with the Circuit Court Office for the county in which the application is being made.

These are as follows:

- A document called a Notice of Motion which must be addressed to the County Registrar
- A sworn statement called an Affidavit setting out the reasons for the application; the affidavit should be sworn before a Commissioner for Oaths or a practising solicitor
- The two Medical Reports mentioned above, which must be exhibited to (i.e. attached to) the affidavit *prior* to the swearing

- Any Consents in writing to the application received from persons with an equal or greater priority to be appointed as care representative (please see order of priority listed above), which must also be exhibited to (i.e. attached to) the affidavit prior to the swearing.

Templates of these documents are available on the Courts Service website (www.courts.ie).

Firstly, all the documents (the Notice of Motion, the Affidavit, the attached Medical Reports and Consents) should be lodged together in the Circuit Court Office and this can be done either in person or by post. The Notice of Motion and the Affidavit must be stamped in advance with the appropriate stamp duty. Information on stamp duty is available on the Courts Service website.

When the documents are received by the Circuit Court Office, the application shall be listed before the County Registrar.

Secondly, the person making the application must also serve a copy of the Notice of Motion, together with a copy of the Affidavit and the attached Medical Reports, on the person in respect of whom the application is being made as well as on every person with an equal or greater priority to apply for appointment to be the care representative. The documents must be served personally on the person in respect of whom the application is being made. In every other case they may be served personally or by registered post. Please note that you do not need to serve copies of the documents on every person with an equal or greater priority if the person has already consented in writing to the application.

Finally, the person making the application must also serve a document called a Reply on the person in respect of whom the application is being made. In the Reply, the person can indicate whether or not he or she objects to the appointment. The Reply should be sent to the County Registrar seven days before the date on which the matter is to be listed.

You do not need to obtain legal representation in order to be appointed as a Care Representative. However, anyone who wishes to seek legal advice/ representation is free to do so.

Exemptions to Requirement for Appointment as a Care Representative:

A Care Representative is not needed in order to apply for the Nursing Home Loan in any of the following cases:

- Where the applicant is of full mental capacity.
- Where the applicant is a Ward of Court (in such cases the Committee of the applicant may apply where he/she has been authorised to do so by the President of the High Court).
- Where a person is appointed under a valid, registered Enduring Power of Attorney to act on behalf of the applicant and is not restricted by the terms of the Power of Attorney from applying for the Nursing Home Loan.
- Where another person is already permitted by law to act on behalf of the applicant.

7. Next Steps:

Once the Care Needs and Financial Assessments have been processed the HSE will write to you. Firstly, it will advise you of your contribution to care and whether you are eligible for State Support. Secondly, if you have applied for the Nursing Home Loan, it will also advise you about your eligibility for this. Thirdly, it will provide you with a list of nursing homes to choose from. The list will include public nursing homes, voluntary nursing homes and approved private nursing homes. Approved

private nursing homes are homes which have agreed the price charged for care with the National Treatment Purchase Fund and are approved for the purposes of the scheme.

You can choose care in any nursing home on the list. However, in order for financial support to be provided:

- The home must have a place for you, and
- The home must be able to cater for your particular needs. The nursing home will have to carry out an assessment to determine whether it can meet your particular needs.

Your choice of nursing home is not connected in any way to the level of your contribution to care.

If you select a public or voluntary nursing home, you will pay your contribution to the HSE or voluntary home as appropriate each week and the HSE will pay the balance.

If you select an approved private nursing home, you will pay your contribution to the nursing home provider each week and the HSE will pay the balance.

The HSE is provided with a set level of funding for the scheme each year. While it is hoped that there would be sufficient funding to support everyone, there may be situations where a person's name must go onto a national placement list until funding becomes available. If this is the case the HSE will notify you when it writes to advise you whether you are eligible for financial support. You will subsequently be notified by the HSE when you have been approved for financial support under the scheme.

8. Reviews/Appeals:

Reviews:

If the Care Needs Assessment determines that you do not require long-term nursing home care, you can apply for a review. This can be done six months after the previous assessment or earlier if a) the HSE is satisfied that there has been a material change in your health or circumstances or b) a registered medical practitioner states that there has been a material change in your health or circumstances since your last Care Needs Assessment.

If you are in receipt of State Support or the Nursing Home Loan, the HSE can review, either at your request or on its own initiative:

- your care needs,
- your financial assessment, or
- the amount of the Nursing Home Loan.

Appeals:

Certain decisions of the HSE may be appealed within 40 working days of the original decision being given to you.

Decisions which may be appealed include:

- the result of your care needs assessment,
- the HSE's decision not to consider an application for State Support,
- the HSE's decision not to carry out a financial assessment,
- the result of an application for State Support,

- the result of an application for the Nursing Home Loan,
- the result of a review.

Appeals will be considered by suitable people who are appointed by the HSE with the consent of the Minister. The outcome of an appeal may be further appealed to the High Court on a point of law. You may also take your case to the Office of the Ombudsman.

9. Repayment of the Nursing Home Loan:

The purpose of the Nursing Home Loan is to ensure that you don't have to sell assets such as your home during your lifetime. If you opt for the Nursing Home Loan, it will become repayable:

- after your death,
- if you sell or transfer your property (if this occurs before your death),
- if you or your partner are deemed to be bankrupt, or
- if the HSE determines that it has been given false/misleading information relating to your application for the loan.

However, where the loan becomes repayable on your death, the repayment of monies *based on the principal residence only* can be further deferred or postponed in certain cases. This is called 'Further Deferral'.

Further Deferral

There are some people who may qualify for a further deferral of the repayment of the loan. This means that the money provided under the Nursing Home Loan will not have to be repaid during their lifetime. These are:

- a) Your spouse or partner,
- b) Your child (or your spouse/partner's child) if they are under the age of 21 years or if their assets do not exceed the asset disregard
- c) Your sibling if their assets do not exceed the asset disregard,
- d) A relative in receipt of a disability or similar allowance, blind person's pension, or the State pension (non-contributory), or whose income doesn't exceed the State pension (contributory),
- e) A relative who is in receipt of a foreign pension or allowance similar to those outlined in (d) above
- f) A relative who owns a building to which the principal residence is attached (e.g. 'a granny flat'), or
- g) Any person who cared for an applicant prior to the latter entering the nursing home (this is defined by reference to relevant social welfare payments).

The individuals at (b)-(g) above are termed "connected persons" and they must also satisfy the following conditions:

FAIR DEAL FUNDING GUIDE

- The asset in question must be their only residence, and
- They must have lived there for not less than 3 years preceding the original application for the Nursing Home Loan, and
- They must not have an interest in any other property.

The HSE should be contacted for more information in relation to further

Deferral. [Repayment of Loan to the Revenue Commissioners \(Revenue\)](#):

When the Nursing Home Loan falls due for repayment, the HSE will write to the person responsible for the repayment (known as the “relevant accountable person”). It will notify them that the loan must now be repaid and advise them of the amount due. In doing this, the HSE will apply the Consumer Price Index to the loan to take account of the time value of money (i.e. inflation or deflation) since the loan was made.

The relevant accountable person is responsible for the repayment and may be a different person depending on the circumstances. For example, if you sell or transfer your property during your lifetime, you and your spouse/partner will be the relevant accountable persons. On the other hand, where the loan is repayable after your death, your personal representative will be the relevant accountable person. A person who inherits the property or any part of it can also be held accountable for repayment of the loan.

Money owed under the Nursing Home Loan must be repaid to Revenue. It should be repaid as soon as possible after notice is received from the HSE and, in any event, within the timeframes outlined in the blue box below. Once payment is made within these time limits, interest will not have to be paid.

- If the repayment arises, for example, because of the death of the person in care it must be repaid within 12 months of the date of death. Otherwise interest will apply from the date of death.
- If the loan is repayable because of the sale or transfer of your property during your lifetime, it must be repaid within 6 months of the date of sale or transfer, or interest will apply to that date.

Where payment has not already been received, the relevant accountable person will be advised by Revenue in advance of the 6 and 12 month payment deadlines of the need to pay on time so as to avoid paying interest.

10. Existing Nursing Home Residents:

A commitment has been made that anyone who was in a nursing home before the Nursing Homes Support Scheme started cannot be made worse off by the scheme.

- If you are in a public or voluntary nursing home or in a contracted bed in a private nursing home before the start of the scheme, you can continue with your existing arrangements.
- If you were in an approved private nursing home before the start of the scheme, you can choose to transfer to the Nursing Homes Support Scheme or you can retain your current subvention arrangements. If you apply for the scheme and have been in the nursing home for three years or more, the financial assessment will only be based on income and assets other than your principal residence (and your farm/business in certain circumstances), i.e. the ‘three year’ cap will apply.
- If you were in an approved private nursing home before the start of the scheme and have been paying the cost of care yourself, you may apply for the scheme or you can continue to fund the complete cost of care. If you apply for the scheme and have been in the nursing home for three years or more, the financial assessment will only be based on income and assets other than your principal residence (and your farm/business in certain circumstances), i.e. the ‘three year’ cap will apply.
- If you are in a private nursing home which is not approved for the purpose of the scheme, you can retain your current subvention arrangements or you can opt to apply for the scheme and change to a nursing home on the list.
- Finally, if you were in an approved private nursing home before the start of the scheme, you do not need to apply for a Care Needs Assessment. You can commence the process by applying for the Financial Assessment.

For Further Information on the Scheme, please contact your local HSE Nursing Homes Support Office, details are provided below. You can also call the HSE info line 1850 24 1850 or Visit www.dohc.ie or www.hse.ie.

11. HSE Nursing Homes Support Offices:

Your Nursing Homes Support Office is available to help you fill in the form or answer questions about your application. When you have completed this form, send it to the Nursing Homes Support Office for your area:

Carlow/ Kilkenny	HSE Nursing Homes Support Office, Community Services. James’s Green, Kilkenny. Tel 056 7784761 & 056 7784633
Cavan/ Monaghan	HSE Nursing Homes Support Office, Lisdarn, Cavan, Tel 049 4373155/112/191
Cork/ Kerry	HSE Nursing Homes Support Office, Floor 1, Áras Sláinte, Wilton Road, Cork. Tel 021 4923536/37/38/39/40/41/42

Donegal	HSE Nursing Homes Support Office, Navenny House, Navenny Street, Ballybofey, Tel 074 9189172
Dublin South, Wicklow and Kildare	HSE Nursing Homes Support Office, Oak House, Millennium Park, Naas, Co Kildare. Tel 045 880400
Dublin North City and County	HSE Nursing Homes Support Office. Civic Offices, Ballymun, Dublin 9 Tel 01 8467148
Galway	HSE Nursing Homes Support Office, Lá Nua, Ballybane, Neighbourhood Village, Castlepark Road, Galway Tel 091 748485
Laois/Offaly	HSE Nursing Homes Support Office, Health Centre, Arden Road, Tullamore, Co Offaly Tel 057 9359625
Limerick, Clare and North Tipperary	HSE Nursing Homes Support Office. St Joseph's Hospital, Mulgrave Street, Limerick Tel 061 461499
Longford/Westmeath	HSE Nursing Homes Support Office, Health Centre, Longford Road, Mullingar, Co Westmeath Tel 044 9394995
Louth/Meath	HSE Nursing Homes Support Office, Unit 3 Ardee Business Park, Hale Street, Ardee. Tel 041 687515/529/525
Mayo	HSE Nursing Homes Support Office. St Mary's Headquarters, Castlebar. Tel 094 9049176
Roscommon	HSE Nursing Homes Support Office. Government Buildings, Convent Toad, Roscommon. Tel 090 6637561/46
Sligo/Leitrim	HSE Nursing Homes Support Office, Markievicz House, Barrack Street, Sligo. Tel 071 9155193
Tipperary South	HSE Nursing Homes Support Office, Community Care Centre, Western Road, Clonmel. Tel 052 6177283
Waterford	HSE Nursing Homes Support Office. Waterford Community Services, Cork Road, Waterford. Tel 051 842963
Wexford	HSE Nursing Homes Support Office. Wexford Community Services, Georges Street, Wexford. Tel 053 9185715/716

You can read more about this scheme on www.hse.ie. Information is also available from the HSE info line on 1850 24 1850, Monday to Saturday, 8am to 8pm

Section 2: Frequently Asked Questions

1. Introduction:

1. What is the Nursing Homes Support Scheme?
The Nursing Homes Support Scheme, often referred to as the “Fair Deal”, is a scheme of financial support for people who require long-term nursing home care. The Scheme is operated by the HSE.
2. What facilities does the Scheme cover and where can I get a list of these?
The Scheme covers private nursing homes, voluntary nursing homes and public nursing homes. The list of nursing homes participating in the Scheme is available on the HSE website.
3. Who can apply for the Scheme?
Anyone who is ordinarily resident in the State can apply for the Scheme, regardless of age.
4. What type of care does the Scheme cover?
The Scheme covers long-term nursing home care only. It does not cover short-term care such as respite or convalescent care, or day care although these types of services may be provided in some nursing homes.
5. What services are covered by the Scheme? The services covered by the Scheme are:
 - nursing and personal care appropriate to the level of care needs of the person,
 - basic aids and appliances necessary to assist a person with the activities of daily living,
 - bed and board, and
 - laundry service.

Incontinence wear, where required, is provided free of charge by the HSE to all Nursing Homes Support Scheme residents that possess a Medical Card.

Furthermore, a person’s eligibility under other schemes, e.g. Medical Card and Drugs Payments Schemes, remains unaffected by the introduction of the Nursing Homes Support Scheme.

Under the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2009, the registered provider must agree a contract with each resident. This contract must include details of the services to be provided to that resident and the fees to be charged. Residents should not be charged fees which are not set out in the contract.

A person who avails of the Nursing Homes Support Scheme should not be charged any additional fee over their contribution (as assessed by the HSE), except where he or she chooses to obtain additional services over and above long-term residential care services, for example, hairdressing or the delivery of daily newspapers.

6. Can I choose to meet the full cost of care privately rather than apply for the Nursing Homes Support Scheme?
Yes, you also have the option of applying for the Scheme at a later date if you wish.

2. Applying for the Scheme:

7. How do I apply for the Scheme?

Applications are made to your local Nursing Homes Support Office on the standard application form.

The application process contains three steps:

- Step 1 is an application for a Care Needs Assessment.
- Step 2 is an application for State support.
- Step 3 is an optional application for the Nursing Home Loan (“Ancillary State support”). You need only fill out this part of the application form if you wish to apply for the Nursing Home Loan.

You can find contact details for your local Nursing Homes Support Office or find out more about the Scheme on www.hse.ie or from the HSE information line on 1850 24 1850.

8. Where can I get the Application Form?

Application forms are available online, from your local Nursing Homes Support Office or from any health care setting in your area including your Local Health Office and hospital.

9. Can I apply for the Scheme on behalf of someone else?

Where the applicant is of diminished mental capacity, a specified person can act on his/her behalf for Steps 1 and 2 of the application process

Only a court appointed care representative (see section 6) can act on the applicant’s behalf for Step 3, the Nursing Home Loan (unless the person is a ward of court or there is an existing enduring power of attorney which enables the attorney to act in that regard).

10. Who qualifies as a specified person? A specified person is:

- a) In the case of a ward of court, their Committee,
- b) A person appointed under a valid, registered enduring power of attorney who is not restricted from applying for the Scheme,
- c) A care representative appointed under the Nursing Homes Support Scheme Act,
- d) A person’s spouse or partner,
- e) A relative who is 18 years of age or over,
- f) A next friend appointed by a court,
- g) A legal representative, or
- h) A registered medical practitioner, nurse or social worker.

The people listed at (a)-(c) have first priority over those listed at (d)-(h). This means that they have the right to act as a specified person ahead of the other categories. However, the people listed at (a)-(c) may consent in writing to a person with lesser priority acting as the specified person.

3. Care Needs Assessment:

11. What is the purpose of the Care Needs Assessment?
The Care Needs Assessment identifies whether or not you need long-term nursing home care, i.e. whether you can be supported to continue living at home or whether long-term nursing home care is more appropriate.
12. Who do I contact to apply for a Care Needs Assessment?
Your local Nursing Homes Support Office is the first point of contact for all matters relating to the Scheme. Details of your local Nursing Home Support Office are in the Information Booklet and Application Form or can be obtained from the HSE Infoline on 1850 24 1850.
13. Who will carry out the Care Needs Assessment?
The Care Needs Assessment will be carried out by appropriate healthcare professionals, for example, a nurse etc., appointed by the HSE.
14. Where will the Assessment be carried out and what will it involve?
The assessment can be completed at any time in a hospital or a community setting such as your own home and may involve a physical examination. During the assessment, the healthcare professionals will look at the family and community support available to you, your ability to carry out the basic activities of daily living (e.g. feeding, dressing and washing) and any medical/health issues. They will also take your wishes and preferences into account.
15. Will I get the results of the Care Needs Assessment?
When the Care Needs Assessment has been completed a report will be prepared. You will be given a copy of this report, known by the HSE as the *Common Summary Assessment Report (CSAR)* which will summarise the findings of the healthcare professionals who carried out your assessment.
16. Can I apply to have the result reviewed/appealed?
Yes. Please see section 8 for information on reviews and appeals.

4. Financial Assessment

17. What is the purpose of the Financial Assessment?
The Financial Assessment looks at all of your income and assets in order to work out what your contribution to care will be. The HSE will then pay the balance of your cost of care. It is important to emphasise that nobody will ever pay more than the cost of their care.
18. How is my contribution to care calculated?
The financial assessment is slightly different depending on when you applied for the Scheme. There are two elements to your contribution. You will contribute up to 80% of your assessable income and 7.5% of the value of any assets per annum (5% of assets if the application was made prior to the 25th July 2013). However, the first €36,000 of your assets, or €72,000 for a couple, will not be counted at all in the financial assessment.

If your assets include land and/or residential property in the State, the 7.5% contribution based on those assets can be deferred. This means it does not have to be

FAIR DEAL FUNDING GUIDE

paid during your

lifetime and will be collected from your estate. This is the Nursing Home Loan element of the Scheme which is legally referred to as “Ancillary State support” (see section 5 for further information).

Examples of how the financial assessment operates are at Appendix 1.

19. Will my house be taken into account?

Your principal residence will only be included in the financial assessment for the first 3 years of your time in care. This is known as the 22.5% or ‘three year’ cap (15% if the application was made prior to the 25th July 2013) and means that after three years of care you will not be liable for any further contribution based on the value of the principal residence. The three year cap takes account of time spent in long-term care before the introduction of the scheme

The three year cap also extends to farms and business in certain circumstances (see

below). All other assets will be taken into account for as long as you are in care.

20. Are any allowances taken into account?

Certain payments, termed allowable deductions, can be taken into account during the financial assessment. It will be the responsibility of the applicant to request any such deductions and to provide the information the HSE will require in order to permit the deductions (see Part 3B of the Application Form).

Allowable deductions include: health expenses, interest on loans related to the principal residence, rent (if you live in a rented property).

21. How does the financial assessment take account of couples?

In the case of a couple (couple is explained below), each person will be assessed on the basis of half their combined assessable income and assets. For example, if a couple’s net income was

€600 per week, the assessment of the person needing care would be based on 50% of €600, or €300, i.e. the person needing care would be considered to have a total income of €300 per week.

The Scheme contains several important safeguards which are designed to ensure that both the person in the nursing home and their spouse/partner are adequately provided for financially:

The person entering nursing home care retains at least 20% of their income, or 20% of the maximum rate of the State Pension (Non-Contributory), whichever is the greater.

Where the person’s spouse/partner remains at home, he/she retains 50% of the couple’s income, or the maximum rate of the State Pension (Non-Contributory), whichever is the greater.

Where both members of the couple enter nursing home care, they each retain at least 20% of their income, or 20% of the maximum rate of the State Pension (Non-Contributory), whichever is the greater.

In the case of a couple, the contribution based on the principal residence will be capped at 11.25% (7.5% if the application was made prior to the 25th July 2013) where one partner remains in the home while the other enters long-term nursing home care, i.e. the ‘three year cap’ applies. Where a person opts for the nursing home loan in respect of the principal residence, their spouse or partner can also apply to have the repayment of the loan deferred for their lifetime (see section 9).

22. How is couple defined for the purposes of the Scheme?
A couple is defined as (a) a married couple living together or as (b) a heterosexual or same sex couple who are cohabiting as life partners for at least three years prior to making an application to the Scheme.
23. What if I don't have any asset(s). Can I still apply for the Scheme?
Yes, you can apply for the Scheme. Your contribution to care will simply be based on 80% of your assessable income.
24. In what circumstances will farms and businesses be included in the financial assessment for the first three years of care only?
The three year cap allies to farms/businesses where:
- (i) the person has suffered a sudden illness or disability which causes them to require long-term nursing home care, and
 - (ii) the person or their partner was actively engaged in the daily management of the farm or relevant business up until the time of the sudden illness or disability, and
 - (iii) a family successor certifies that he or she will continue the management of the farm or relevant business.

This measure is intended to ensure the financial sustainability of family farms and businesses in cases where a person suffered a sudden illness and did not have an opportunity to put appropriate succession arrangements in place.

25. Couldn't I just transfer my income and assets in order to reduce my contribution?
No, the Scheme contains measures to protect against this. Under the legislation, any income or asset which is transferred within 5 years of applying for the Scheme is taken into account in the financial assessment.
This does not affect your right to sell assets for full market value. Rather it is intended to prevent people from depriving themselves of assets for the purposes of the financial assessment.

5. Nursing Home Loan (“Ancillary State Support”)

26. What happens if I decide to defer the contribution based on my assets?
Where approved, the HSE will pay the money to your nursing home on your behalf. The amount loaned (with the Consumer Price Index applied to take account of the time value of money (i.e. inflation or deflation) since the loan was made) will be collected from your estate after your death. This is called the Nursing Home Loan.
27. How do I apply for this loan?
You apply using the relevant part of the Application Form. In order to apply for the loan you will need to consent to having a Charging Order registered against your asset. This secures the money loaned against the property.
You may choose to apply for this element of the Scheme at the date of initial application or at any stage while resident in the nursing home. If you are part of a couple, your spouse/partner must also provide written consent.

28. Do I have to pay interest on the loan?

When the Nursing Home Loan falls due for repayment, the HSE will write to the person responsible for the repayment to notify them that the loan must now be repaid and advise them of the amount due. In doing this, the HSE will apply the Consumer Price Index to the loan to take account of the time value of money (i.e. inflation or deflation) since the loan was made. The people who may be responsible for the repayment include you, your spouse/partner or your personal representative (after your death).

The amount due should be repaid as soon as possible after notice is received from the HSE. There are certain time limits (see below) for repayment and, if payment is not made within these time limits, interest will have to be paid (see question 55 for further details).

29. What is a Charging Order?

It is a simple type of mortgage which secures the money loaned by the HSE. Subject to your consent, the HSE is responsible for making the Charging Order, registering it against your property/land and making Nursing Home Loan payments on your behalf.

30. Can I apply for a Nursing Home Loan on behalf of someone else?

Only a care representative who has been appointed by the Circuit Court, the Committee of a Ward of Court or an Attorney appointed under an Enduring Power of Attorney can apply for the Nursing Home Loan on behalf of another person. See section 6 below for information on becoming a care representative.

31. What are the implications of the loan for my spouse/partner?

Opting for the Nursing Home Loan ensures that your spouse/partner does not have to find the money upfront to pay the contribution based on your family home. You can defer these contributions for the duration of your lifetime and your spouse/partner can continue to live in the family home.

Your spouse/partner can apply for a further deferral of the loan when it falls due for repayment. This ensures that s/he will not have to sell or re-mortgage the house in order to make the repayment. You'll find more detail on this in section 9 below.

32. When do I have to repay the loan?

The repayment of the loan is explained in section 9 below.

33. What if I have two assets on one Folio, e.g. my house and my farm, and wish to apply for the Nursing Home Loan in respect of both?

You have two options in this case. The HSE can put two Charging Orders on two separate parts of the folio (both of which would have to be valued separately) or you can consider splitting the folio in two. This could be useful, for example, if there is a possibility that you may sell part of the land independently of the house prior to the loan falling due for repayment.

You may wish to consult with your solicitor if you are going to consider separating a folio.

6. Care Representative

34. What is a Care Representative?

A care representative must be appointed when a person with reduced capacity to make decisions (i.e. diminished mental capacity) wishes to apply for the Nursing Home Loan. A care representative is not required if the applicant for the Scheme is not of diminished mental capacity or if the Nursing Home Loan is not required.

The care representative role is to act on behalf of the person in respect of the Nursing Homes Support Scheme and especially in respect of the Nursing Home Loan. They can also act on behalf of the person in relation to making an application for a Care Needs Assessment, State support, or any other matter relating to the Scheme.

35. Who can apply to become a Care Representative?

The following persons, in order of priority, may apply to be appointed to act as your care representative once they are 18 years of age or over:

- Your spouse/partner,
- Your parent,
- Your child,
- Your brother or sister (whether of the whole or half blood),
- Your niece or nephew,
- Your grandchild,
- Your grandparent,
- Your aunt or uncle,
- A person who appears to the court to have a good and sufficient interest in your welfare, other than -
 - a) the owner of a nursing home in which you reside or are likely to reside, or
 - b) a medical practitioner who examined you and prepared a report for the Court in relation to your capacity.

36. What does diminished mental capacity mean and who decides if a person's capacity is diminished? A person is considered to be of diminished mental capacity if, in relation to a decision on applying for the Nursing Home Loan and consenting to the Charging Order, he or she is unable:

- a) to understand the information relevant to the decision,
- b) to retain that information,
- c) to use or weigh that information as part of the process of making
- d) the decision, or
- e) to communicate his or her decision (whether by talking, using sign
- f) language, communicating through a third party or any other means).

Two reports from two separate registered medical practitioners are required as evidence that a person is of diminished mental capacity.

37. How do I get appointed as a Care Representative?

An application must be made to the County Registrar in any county in the Circuit in which the person requiring a care representative now lives or in which he or she has lived at any time during the past three years. It must be accompanied by the medical reports mentioned above.

The forms required for an application are available on the Courts Service website (www.courts.ie) and from the HSE. Information on the Court fees payable in relation to an application is also available on the website.

38. Will I need a Solicitor to become a Care Representative?

You do not need to obtain legal representation in order to be appointed as a care representative. However, anyone who wishes to seek legal advice/representation is free to do so.

39. Are there any situations where a Care Representative does not need to be appointed?
A care representative is not needed in order to apply for the Nursing Home Loan in any of the following cases:

- Where the applicant is of full mental capacity.
- Where the applicant is a Ward of Court (in such cases the Committee of the applicant may apply where he/she has been authorised to do so by the President of the High Court).
- Where a person is appointed under a valid, registered Enduring Power of Attorney to act on behalf of the applicant and is not restricted by the terms of the Power of Attorney from applying for the Nursing Home Loan.
- Where another person is already permitted by law to act on behalf of the applicant.

7. Next Steps – Provision of Support and Choice of Nursing Home

40. How will I know what to do next?

When the Care Needs and Financial Assessments have been completed, the HSE will write to you and inform you of your contribution to care and your eligibility for State support/the Nursing Home Loan (if applicable).

At this stage you will also be provided with the list of nursing homes that are participating in the Scheme. This list will include public nursing homes voluntary nursing homes and approved private nursing homes.

41. Can I choose any nursing home?

You may choose any nursing home from the list subject to the following conditions:

- The home must have a place for you, and
- The home must be able to cater for your particular needs. The nursing home will have to carry out an assessment to determine whether it can meet your particular needs.

Your choice of nursing home is not connected in any way to the level of your contribution to care.

42. Who do I pay my contribution to?

If you select a public or voluntary nursing home, you will pay your contribution to the HSE or voluntary nursing home as appropriate each week and the State will pay the balance on your behalf.

If you select an approved private nursing home, you will pay your contribution to the nursing home provider each week and the State will pay the balance on your behalf. Elm Hall Nursing Home is an approved private nursing home.

43. When will my State support be paid from?

Financial support is paid either from the date that the application was approved or from date of admission to the nursing home, whichever is the later.

44. Could the HSE run out of funding for the Scheme?

The HSE is provided with a set level of funding for the Scheme each year. While it is hoped that there would be sufficient funding to support everyone, there may be situations where a person's name must go onto a national placement list until funding becomes available. If this is

the case the HSE will notify you when it writes to advise you whether you are eligible for financial support.

8. Reviews/Appeals:

45. Where do I apply to make an appeal?
The HSE will inform you of the appeals process and provide details of your local Appeals Office when it writes to you to inform you of the outcome of your Care Needs and Financial Assessments.
46. My Care Needs Assessment found that I did not need long-term nursing home care. What are my options?
You can appeal the decision to your local Appeals Office. Furthermore, the care needs assessment can be reviewed six months after a previous assessment or earlier if a) the HSE is satisfied that there has been a material change in your health or circumstances or b) a registered medical practitioner states that in his/her opinion there has been a material change in your health or circumstances since your most recent care needs assessment.
47. I was assessed as needing long-term nursing home care and I am now in receipt of State support. Can I seek a review?
Yes, reviews are carried out by your local Nursing Home Support Office and you should contact them if you want to have your Care Needs or Financial Assessment reviewed.
48. How long will it take for me to find out the result of my review?
Once the HSE has made a decision regarding the review, you will be notified of the decision and the reasons for the decision, in writing, within 10 working days.

9. Repayment of the Nursing Home Loan:

49. When does the Nursing Home Loan have to be repaid? If you opt for the loan, it will become repayable:
- after your death,
 - if you sell or transfer your property (if this occurs before your death),
 - if you or your partner are deemed to be bankrupt, or
 - if the HSE determines that it has been given false/misleading
 - information relating to your application for the loan.
50. Does the entire loan have to be repaid after my death? Any part of the loan which was based on assets other than the principal residence must be repaid after your death.

The repayment of the part of the loan based on the principal residence can be further deferred if there are certain categories of people (see below) living in the house. In such cases, the repayment is deferred for the duration of that person's lifetime ("further deferral").

51. Who qualifies for further deferral?
The following people can qualify for further deferral:
- Your spouse or partner,

- b) Your child (or your spouse/ partner's child) if they are under the age of 21 years or if their assets do not exceed the asset disregard
- c) Your sibling if their assets do not exceed the asset disregard,
- d) A relative in receipt of a disability or similar allowance, blind person's Pension, the State pension (non-contributory) or whose income doesn't exceed the State pension (contributory),
- e) A relative who is in receipt of a foreign pension or allowance similar to those outlined in (d) above,
- f) A relative who owns a building to which the principal residence is attached (e.g. a 'granny flat'), or
- g) Any person who cared for an applicant prior to the latter entering
 - a. nursing home (this is defined by reference to relevant social welfare payments).

The individuals at (b)-(g) above are termed "connected persons" and they must also satisfy the following conditions:

- The asset in question must be their only residence, and
- They must have lived there for not less than 3 years preceding the original application for the Nursing Home Loan, and
- They must not have an interest in any other property.

52. Do I automatically receive a further deferral or do I need to apply?

You must apply to the HSE for further deferral of repayment of the loan. The application should be made within three months of the death of the person who was in the nursing home (or such longer period, not exceeding six months, as the HSE considers appropriate).

53. Who repays the loan after my death?

The person responsible for the repayment of the loan will differ depending on the circumstances. For example, if you sell or transfer your property during your lifetime, you and your spouse/partner will be responsible for the repayment. On the other hand, where the loan is repayable on your death, your personal representative will be responsible for the repayment. A person who inherits the property or any part of it can also be held accountable for repayment of the loan.

The person who is responsible for the repayment will be notified by the HSE that the loan is due for repayment. The repayment must be made to the Revenue Commissioners.

54. Can I repay the loan to the HSE instead?

No. Under the legislation the loan must be repaid to the Revenue Commissioners.

55. Does interest have to be paid on the loan?

The loan should be repaid as soon as possible after notice is received from the HSE. There are certain time limits (see below) for repayment and, once payment is made within these time limits, interest will not have to be paid.

- If the repayment arises because of the death of the person in care it must be repaid within 12 months of the date of death. Otherwise interest will apply from the date of death.
- If the loan is repayable because of the sale or transfer of your property during your lifetime, it must be repaid within 6 months of the date of sale or transfer, or interest will apply back to that date.

10. Quality and Standards:

59. Are all of the nursing homes on the list inspected for quality?

The Health Information & Quality Authority (HIQA) has set the standards that nursing homes must meet and nursing homes will be inspected against these.

These Standards are a key component in ensuring the quality and safety of residential care for our older population and provide a baseline for those with the responsibility for providing care. They also provide very clear guidelines for residents, their families and/ or representatives as to the rights of a resident living in a residential care setting.

Inspection reports are available on the HIQA website: www.hiqa.ie.

Appendix 1: Examples of the Financial Assessment

Please note that these examples are for illustrative purposes only and are not intended as a definitive guide to the Nursing Homes Support Scheme Act 2009.

NOTES:

- i. The cost of nursing home care varies. For illustrative purposes, the examples are all based on a cost of care of €1,000 per week.
- ii. In the case of couples, the financial assessment is based on half of their combined income and assets, i.e. 80% of half the combined assessable income OR 40% of the combined income and 7.5% of half the value of the assets OR 3.75% of the combined assets. In addition, the asset disregard increases to €72,000.

Example 1

Mr. Smith, Single, House

Mr. Smith has an income of €250 per week and a house worth €250,000. He decides to apply for financial support under the Nursing Homes Support Scheme. Under the scheme, he will contribute 80% of his income each week towards the cost of care. This equates to €200 per week (i.e. 80% of €250).

He will also make a contribution towards his care costs based on his assets, in this case his house. This will amount to 7.5% of its value per annum or €308.65 per week (i.e. €250,000 - €36,000 (asset disregard) = €214,000 x 7.5% = €16,050/52 = €308.65).

This means that Mr. Smith's must contribute €508.65 per week towards his cost of care. The cost of the nursing home is €1,000 per week. The HSE will pay the balance, i.e. €491.35 per week.

However, Mr. Smith does not have the contribution based on his house, i.e. the €308.65 per week, to pay upfront and does not want to sell his house. He, therefore, applies for and receives the Nursing Home Loan. This means that the HSE will pay the additional €308.65 on top of the €491.35 it is already paying per week. It is effectively giving Mr. Smith a loan of €308.65 every week. The HSE's weekly contribution is now €800 (i.e. €308.65 + €491.35 = €800).

If Mr. Smith had not availed of the Nursing Home Loan, he would have had to pay the contribution based on his house, i.e. the €308.65 per week, upfront.

After three years, Mr. Smith's house would be discounted from the financial assessment.

Example 2

Ms. Murphy, Single, House and Savings

Ms. Murphy has an income of €270 per week, savings of €56,000 and a house worth €250,000. She decides to apply for financial support under the Nursing Homes Support Scheme. Under the scheme, she will contribute 80% of her income each week towards the cost of care. This equates to €216 per week (i.e. 80% of €270).

She will also make a contribution towards her care costs based on her assets, i.e. her savings and her house.

When the asset disregard is applied to Ms. Murphy's savings, only €20,000 remains to be taken into account (i.e. €56,000 - €36,000 = €20,000). The contribution towards her cost of care based on savings will amount to 7.5% of their value per annum or €28.85 per week (i.e. $\frac{€20,000 \times 7.5\%}{52} = \frac{€1,500}{52} = €28.85$).

The portion of the contribution based on assets, i.e. the house, will amount to 7.5% of its value per annum or €360.58 per week (i.e. $\frac{€250,000 \times 7.5\%}{52} = \frac{€18,750}{52} = €360.58$).

This means that Ms. Murphy must contribute €605.43 per week towards her cost of care (€216 + €28.85 + €360.58). The cost of the nursing home is €1,000 per week. The HSE will pay the balance, i.e. €394.57 per week.

However, Ms. Murphy does not have €360.58 per week to pay upfront and does not want to sell her house. She, therefore, applies for and receives the Nursing Home Loan. This means that the HSE will pay the additional €360.58 on top of the €394.57 it is already paying per week and is effectively giving Ms. Murphy a loan of €360.58 every week. The HSE's weekly contribution is now €755.15 (i.e. €394.57 + €360.58 = €755.15).

If Ms. Murphy did not apply for the Nursing Home Loan, she would have to pay the contribution of €360.58 based on her house on a weekly basis during her time in nursing home care.

After three years, Ms. Murphy's house would be discounted from the financial assessment.

Example 3

Mr. Byrne, Married, House, Savings and Rental Property

Mr. Byrne is married. He and his wife have a combined income of €440 per week from their pensions, savings of €12,000, a house worth €300,000 and a rental property worth €150,000 which generates a weekly rental income of €200.

Mr. Byrne decides to apply for financial support under the Nursing Homes Support Scheme. The financial assessment will be based on half of Mr. & Mrs. Byrne's combined income and assets.

Therefore, he will contribute 40% of their combined income each week towards the cost of care. This equates to €256 per week (i.e. 40% of €640 which is comprised of their pensions + rental income).

He will also make a contribution towards his care costs based on his assets, i.e. his savings and both properties.

When the asset disregard is applied to Mr. Byrne's savings, they are removed from the assessment entirely.

The portion of the contribution based on his two properties will amount to 3.75% of their value per annum or €281.25 per week (i.e. €450,000 - €60,000 (remainder of asset disregard) = €390,000 x 3.75% = €14,625/52 = €281.25).

This means that Mr. Byrne can afford to contribute €537.25 per week towards his cost of care. The cost of the nursing home is €1,000 per week. The HSE will pay the balance, i.e. €462.75 per week.

However, Mr. Byrne does not have €281.25 per week to pay upfront and does not want to sell his house. He, therefore, applies for and receives the Nursing Home Loan. This means that the HSE will pay the additional €281.25 on top of the €462.75 it is already paying per week and is effectively giving Mr. Byrne a loan of €281.25 every week. The HSE's weekly contribution is now €744 (i.e. €281.25 + €462.75 = €744).

If Mr. Byrne did not apply for the Nursing Home Loan, he would have to pay the contribution of €281.25 based on his properties on a weekly basis during his time in nursing home care.

After three years, Mr. Byrne's principal residence would be discounted from the financial assessment. The rental property would continue to be included.

The loan will become repayable on Mr. Byrne's death. However, if Mr. Byrne dies before his wife, she can further defer repayment of the Nursing Home Loan for the duration of her lifetime.

CONCLUSION

If you require additional assistance, or would like to discuss placement at Elm Hall Nursing Home Please contact: David Wallace, Director of Nursing on 01-6012399 or email don@elmhall.ie