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## NHS Continuing Health Care Funding <sup>[1]</sup>

This option is where the funding for a person's care is met by the NHS. This is called Continuing Health Care (CHC).

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<sup>[2]</sup>

Anyone with significant health care needs can be assessed and this can be undertaken in either a Hospital or a non-hospital setting. The assessment is normally requested by a health or social care professional but can be requested by an individual or their representative.

This type of funding is completely non-means tested. No financial assessment will be undertaken, nor will monies paid out by the NHS in respect of care be reclaimed at a later date.

When assessing whether a person will qualify for CHC, the only criteria that is relevant is the person's health/care needs. Where it is decided that somebody's primary needs are medical rather than social needs, the NHS will normally fully-fund an individual's care, be that in a Nursing Home care placement or, if safe and appropriate, in a community setting, i.e. possibly at home.

To establish whether a person's care needs are predominantly medical rather than social an initial brief Checklist Assessment is completed. If the person is shown to have a certain level of needs then a full CHC assessment is undertaken.

Any person entering a registered Nursing home is entitled to have the initial checklist assessment.

Residents and their representatives are often not consulted and may be unaware the assessment has been undertaken. Sometimes leading to information being missed which could have triggered the fuller assessment, or the awarding of Continuing Healthcare funding.

You should contact Sydney Mitchell if this is the case.

The full assessment using the Decision Support Tool (DST) is a more extensive assessment, during this assessment, a wide range of 'domains' (areas of need) are reviewed. Assessments are usually lengthy and can be complex often dealing with medical issues which are outside the family's understanding. It is crucial that all aspects of a person's health needs are raised and taken into account appropriately at this meeting and that the best possible case is made for you or your relative.

The assessment ought to be Multi-Disciplinary in nature i.e. drawing on information from various professionals regarding the individuals care needs.

You should be given adequate advance notice of the date and time of the proposed Assessment in order for you to attend. Again if an assessment has taken place without your knowledge you should contact us.

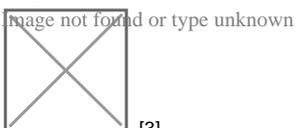
On completion of the DST assessment the individual or their representatives ought to be told what the Assessors recommendation is. This recommendation is not the final decision but carries a great deal of weight. The DST is submitted to a CHC panel for ratification the Panel makes the final decision based on the evidence provided.

If Continuing Health Care funding is agreed it is only initially for a short period, and should be reviewed within 3 months. When the Review is undertaken this should be with the person or their representative, if ongoing Continuing healthcare funding is agreed it is normally subject to annual review thereafter.

If CHC funding is declined at Panel the individual or their representative has the right to appeal the decision.

At Sydney Mitchell we have an experienced team with both the legal and nursing skills to assist you in negotiating this complex assessment process.

Tracy Creed is an experienced Solicitor with extensive experience and knowledge of CHC legislation and assessments. Video link attached



- We will be able to provide guidance and advice, often at a time of crisis for your family.
- We will be able to assess your current situation and steer you through the maze of conflicting information you are likely to be receiving.
- We can provide clarity and peace of mind by representing you/your relative at assessments and providing support and guidance for you throughout this complex and often stressful process.
- Ensuring that your/your relative's case is put forward in the best way possible to ensure you/ they receive any funding to which you/they may be entitled.
- We can undertake retrospective reviews of care to check whether you/your relative may have been likely to have met the criteria for CHC funding previously and submit an appeal on your behalf.

Further information is available in the "[Care Funding](#) <sup>[4]</sup>" factsheet; please contact [Tracy Creed](#)

for more help and guidance or **complete our enquiry form.** [2]

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### **Links**

[1] <https://www.sydney Mitchell.co.uk/services-individuals/nhs-continuing-health-care-funding>

[2] <https://www.sydney Mitchell.co.uk/contact>

[3] <https://www.youtube.com/watch?v=99IkXjNYv7M>

[4] [https://www.sydney Mitchell.co.uk/sites/default/files/attachments/chc\\_care\\_funding\\_information\\_sheet\\_-\\_tc\\_-\\_oct\\_2019-\\_header\\_2.pdf#overlay-context=about-us/publications-legal-guides](https://www.sydney Mitchell.co.uk/sites/default/files/attachments/chc_care_funding_information_sheet_-_tc_-_oct_2019-_header_2.pdf#overlay-context=about-us/publications-legal-guides)

[5] <mailto:t.creed@sydney Mitchell.co.uk?subject=NHS%20contuing%20healthcare%20funding%20issues>