



**Community  
Law & Mediation**



**Nursing Homes Support  
Scheme  
Information Leaflet**

## What is the Nursing Homes Support Scheme?

The Nursing Homes Support Scheme, also known as the Fair Deal Scheme, provides financial support to people who need long-term nursing home care. The scheme is operated by the Health Service Executive (HSE) and replaces the old Nursing Home Subvention Scheme as and from 27<sup>th</sup> October 2009. If you were getting a subvention on that date, you can choose to continue to receive it or you can move to the Nursing Homes Support Scheme. Under this scheme, the applicant makes a contribution towards the cost of their care and the State will pay the balance. The scheme covers public, voluntary and approved private nursing homes. Anyone who is ordinarily resident in the State and is assessed as needing long-term nursing home care can apply for the scheme. The scheme does not cover short-term care such as respite, convalescent care or day care, although these types of services may be provided in some nursing homes.

## How do you apply for the scheme?

Application forms are available from your [Local Health Office](#) or hospital. Alternatively, you can download an [application form](#) from the HSE website.

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** (optional) should be completed if you wish to apply for the Nursing Home Loan

The application form should be completed and signed by the person who is applying for the nursing home care and they should send it to the HSE.

However, in certain cases, another person, called a Specified Person, may apply on their behalf (see below).

## Step 1: Care Needs Assessment

The Care Needs Assessment identifies whether the applicant requires long-term nursing home care. You must be assessed as needing long-term nursing home care in order to be eligible for either State Support or the Nursing Home Loan. The Care Needs Assessment will be carried out by appropriate healthcare professionals appointed by the HSE, for example, a nurse. It can be completed at any time in a hospital or a community setting such as your own home and may involve a physical examination.

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 at the time of the assessment
- the family and community support available to you
- your wishes and preferences

## Reviews

Any Care Needs Assessment can be reviewed six months after a previous assessment or earlier if either the HSE is satisfied that there has been a material change in your health or circumstances or 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.

## Can a third party apply on your behalf?

An application for a Care Needs Assessment may be made on behalf of an applicant by a "Specified Person" where: (a) a person ordinarily resident in the State may need care services, and (b) that person, by reason of ill-health, a physical disability or a mental condition, is unable to make an application for a Care Needs Assessment.

A "Specified Person" is defined as:

- (a) Where the person is a ward of court, the Committee of the Person of the ward, duly authorised in that behalf,
- (b) a person appointed by a relevant person to be his or her attorney under an enduring power of attorney and the attorney is not prohibited or restricted by the terms of the power from performing any matter to which this section applies, and the enduring power of attorney has been registered and the registration has not been cancelled,
- (c) a care representative appointed pursuant to an application under the Nursing Home Support Scheme Act 2009,
- (d) where the person is a member of a couple, the other member of the couple,
- (e) relative of the person who is not less than 18 years of age,
- (f) a next friend appointed by a court,
- (g) a legal representative of the person, or
- (h) a registered medical practitioner, a registered nurse or registered social worker.

The categories of person who may act as a Specified Person referred to in paragraphs (a), (b) and (c) above shall have priority over the categories of person

referred to in paragraphs (d) to (h) above but a person referred to in paragraphs (a) to (c) above may consent in writing to a person with lesser priority acting as a Specified Person.

## Step 2: Financial Assessment

The financial assessment looks at the applicant's income and assets in order to work out what his/her contribution to their care will be. The HSE will then pay the balance of the 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. In the case of a member of a couple, the assessment will be based on half of the couple's combined income and assets.

Income includes any earnings, pension income, social welfare benefits or allowances, rental income, income from holding an office or directorship, income from fees, commissions, dividends or interest. 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.

An asset is any material property or wealth, including property or wealth outside of the State. Assets are divided into two distinct categories, namely cash assets and relevant assets. Cash assets include savings, stocks, shares and securities. Relevant 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 that you have deprived yourself of since applying for State support or in the 5 years before the application.

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

The applicant will contribute up to 80% of their income (less certain deductions) and 7.5% of the value of any assets per annum. However, the first €36,000 of your assets, or €72,000 for a couple, will not be counted at all in the financial assessment. Your principal residence will only be included in the financial assessment for the first 3 years of your time in care.

### Step 3: Nursing Home Loan (“Ancillary Support”)

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. Its purpose is to ensure that you don't have to sell assets such as your house during your lifetime. 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 simple type of mortgage, a “Charging Order”, registered against your asset.

The HSE will make and register the Charging Order. You will not need to do anything (although the HSE may need to check with you about the information in your application). If you are part of a couple, your spouse/partner must also provide written consent.

If a person does not have the capacity to consent to the application for the Nursing Home Loan and/or the creation of a Charging Order, a Care Representative will need to be appointed to act on their behalf. The Care Representative is appointed by the Circuit Court. Two reports from two separate registered medical practitioners are required by the court as evidence that a person is of diminished mental capacity.

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 a full or half sibling)
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.

## What happens after the application process?

Once the Care Needs Assessment and Financial Assessment have been processed, the HSE will write to you. First, you will be advised 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, you will be provided with a list of nursing homes from which to choose. You can choose care from any nursing home on the list provided the home has a place for you and will be able to cater for your particular needs.

Since 1 October 2011, the date of payment of State support and ancillary State support will be paid either from the date that the application is approved, or date of admission to the nursing home whichever is the later. There is a set level of funding for the scheme each year, so there may be situations where a person is put on a waiting list until funding becomes available. If this is the case, the HSE will let you know when it writes to advise you whether you are eligible for State support.

## Appeals

Certain decisions of the HSE may be appealed within 40 working days of the original decision. You should tell the HSE that you want to appeal and ask them for details about how to appeal a decision. The HSE should provide details of your local Appeals Office when it writes to you to inform you of the outcome of your Care Needs Assessment and Financial Assessment.

## Resources

[Nursing Homes Support Scheme Act 2009](#)

[Quick Guide on the Nursing Homes Support Scheme \(pdf\)](#)

[Information Booklet on the Nursing Homes Support Scheme \(pdf\)](#)

[FAQs on the Nursing Homes Support Scheme \(pdf\)](#)

[Citizens Information - Nursing Homes Support Scheme](#)

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