

Hospital based complex clinical care



Inside this factsheet

1	What is the assessment?	3
2	If you already receive NHS Continuing Healthcare.	4
3	Terminal illness	4
4	If you are unhappy with a decision	5
	4.1 Use the appeal process	5
	4.2 Make a complaint	6
	4.3 Complain to the Scottish Public Service Ombudsman	6
5	Where can I find more information?	6

NHS Continuing Healthcare before 1st June 2015

An independent review of NHS Continuing Healthcare in Scotland was published in May 2014. This concluded that the system needed to be replaced. Under the rules for NHS Continuing Healthcare, if someone was eligible, the NHS would arrange and fund their care including accommodation costs if the person was in a hospital, care home or in their own home.

Hospital Based Complex Clinical Care in Scotland from 1st June 2015

As a result of the review, Hospital Based Complex Clinical Care was introduced on 1st June 2015. The Scottish Government guidance states:

“If someone has a health need then the NHS will still be responsible for meeting that need – free of charge. However, people in care homes will be asked to contribute (subject to their financial circumstances) towards their social care and accommodation costs. Only those who need to be in hospital will be exempt from charges relating to their accommodation. Everyone else, whatever their age or disability should contribute to the funding of accommodation costs, following a financial assessment.”

This is part of a larger change to how healthcare is delivered in Scotland; the Scottish Government has identified that it is better to care for more people with ongoing clinical needs to receive treatment in the community so the aim is to discharge a patient from hospital as soon as it is safe to do so.

1 What is the assessment?

The assessment used for Hospital Based Complex Clinical Care is based around the question *'Can the individual's care needs be properly met in any setting other than a hospital?'*

This will be discussed by a multi-disciplinary team of health professionals and then the decision is made by a consultant or equivalent specialist. All options should be considered, recorded and explained fully to patients, families and carers. If your care needs can be met in a non-hospital setting you will be discharged to a suitable setting which may be your home, a care home or supported accommodation.

The rules about Free Personal and Nursing Care are unaffected by this change: Personal Care will continue to be available to eligible people who are aged 65 and over and Nursing Care will continue to be available to eligible people of all ages.

2 If you already receive NHS Continuing Healthcare.

If you already receive NHS Continuing Healthcare, you will continue to receive it as long as you continue to be eligible.

Continued eligibility for NHS Continuing Health Care will depend on whether someone still requires '*regular specialist clinical supervision*' because of:

1. The complexity, nature or intensity of the patient's health needs, being the patients' medical, nursing and other clinical needs overall.
2. The need for frequent, not easily predictable, clinical interventions.
3. The need for routine use of specialist health care equipment or treatments which require the supervision of specialist NHS staff. or
4. A rapidly degenerating or unstable condition requiring specialist medical or nursing supervision.

The decision about continued eligibility may be made by a consultant in a hospital, or a GP in some community hospitals as part of a multi-disciplinary team.

The Scottish Government has stated that this situation is subject to review and therefore may change in future.

3 Terminal illness

If you are terminally ill your care and support needs should be met by your council's social work department and the NHS. Many people also receive support from specialist organisations such as Macmillan nurses.

If palliative care is being provided in a hospice, hospital or in someone's home then there will be no charge to the patient. If, however, palliative care is provided in a care home the patient's contribution to their care costs will be assessed under the normal rules.

For information about palliative care see the Scottish Partnership for Palliative Care website at www.palliativecarescotland.org.uk or call them on 0131 272 2735.

4 If you are unhappy with a decision

If you are unhappy with an NHS decision about Hospital Based Complex Clinical Care or the continuation of your existing assessment for NHS Continuing Healthcare you have options for how to complain.

The **Patient Advice and Support Service** (PASS) may be able to give you advice. They can:

- provide information, advice and support for anyone who wants to give feedback, make comments, raise concerns or make a complaint about treatment and care provided by the NHS in Scotland.
- help people to understand their rights and responsibilities as a patient , and

You can contact the Patient Advice and Support Service by

- phoning 0800 917 2127
- chatting online at www.patientadvicescotland.org.uk/
- speaking to them in person at any Scottish Citizens Advice Bureau.
- emailing pass@cas.org.uk

4.1 Use the appeal process

If you do not agree with a decision about your NHS care you can appeal or someone can appeal on your behalf.

The appeal should be made in writing to the healthcare professional who was involved in the assessment and made the decision. Once you have requested an appeal, the NHS Board will then appoint someone (with the same level of expertise as the person who made the decision) to review the decision.

4.2 Make a complaint

All NHS service providers must publicise their complaints procedure, and give clear information about how to make a complaint. The complaint should be made to the health professional who carried out the assessment. There is usually a time limit for complaints, so do not delay.

4.3 Complain to the Scottish Public Service Ombudsman

It is not usually possible to complain to the Scottish Public Services Ombudsman without using the local NHS complaints procedure first. If you have either appealed against a decision or made a complaint and you are still not satisfied with the result you may be able to complain to the Scottish Public Services Ombudsman.

The Scottish Public Services Ombudsman has produced information about the NHS Continuing Healthcare and how to complain if you disagree with a decision. The SPSO is the final stage for complaints about agencies including councils, the NHS, and housing associations.

Tel: 0800 377 7330 www.spsso.org.uk

5 Where can I find more information?

Age Scotland helpline 0800 12 44 222

The Age Scotland helpline provides information, friendship and advice to older people, their relatives and carers.

If you need an interpreter call **0800 12 44 222** and simply state the language you need e.g. Polish or Urdu. Stay on the line for a few minutes and the Age Scotland helpline will do the rest.

You can call us on **0800 12 44 222** for a copy of our publications list or download copies from our website at www.agescotland.org.uk.

Care Information Scotland

Care Information Scotland provides a range of information about care issues

Website www.careinfoscotland.scot Telephone 0800 011 3200

Support our work

Every year, thousands of older people across Scotland benefit from the vital information and advice Age Scotland provides. If you would like to support this work and help improve the lives of older people in Scotland you can donate by:

- Giving us a call on 0333 323 2400 and ask for the fundraising team.
- Visit our website at www.agescotland.org.uk/donate.

Across the UK

For information and advice in the rest of the UK:

In England contact Age UK Advice on **0800 169 65 65**
www.ageuk.org.uk

In Wales contact Age Cymru on **0800 169 65 65**
www.agecymru.org.uk

In Northern Ireland contact Age NI on **0808 808 7575**
www.ageni.org.uk

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No factsheet can ever be a complete guide to the law, which also changes from time to time. Legal advice should always be taken if you are in doubt.

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