

Frequently Asked Questions about: **Long-stay Contributions** (Residential Support Services Maintenance and Accommodation Contributions)

This guide is for information only. It is not a legal interpretation.

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1. What is a long-stay contribution (residential support services maintenance and accommodation contribution)?

A **long-stay contribution** is an affordable contribution towards your 'long-stay' maintenance and accommodation costs, if those costs are met by the HSE or by a service provider listed in *Appendix 1* in certain residential settings. You can find information about these settings in question 6. You can find information about what 'longstay' means in question 3.

2. What are residential support services?

Residential support services are services that are provided to people **not** covered by the Nursing Homes Support Scheme (Fair Deal) whose accommodation is provided or whose daily living costs are met by the HSE or by a service provider listed in *Appendix 1* in certain residential settings. You can find more information about these settings in question 6.

3. What does 'long-stay' mean?

Long-stay means that the HSE or a service provider listed in *Appendix 1* has provided you with residential support services for more than 30 days during the 12 month period ending today.

Example: You receive a residential support service on 15 January 2018. You pay a long-stay contribution for 15 January 2019 if you received residential support services for more than 30 days during the 12 month period starting on 16 January 2018 and ending on 15 January 2019.

You can find more information about residential support services in question 2.

4. Why were long-stay contributions introduced?

This long-stay contributions system replaced the former "long-stay charges" for in-patient services and rent or 'kitty' contribution arrangements with a single system of affordable contributions which:

- Standardised rates to make them consistent for all residential support services
- Improved how contributions for maintenance and accommodation in the health sector are managed
- Better reflected modern models of care, particularly the social care model of independent living.

These long-stay contributions came into operation on 1 January 2017. You can find more information about the laws concerned in question 29.

5. If I use long-stay services, will I have to pay a long-stay contribution?

Long-stay contributions only apply to some services. Question 6 lists

the services that long-stay contributions apply to. Question 7 lists the services that long-stay contributions do **not** apply to.

6. What residential support services do long-stay contributions apply to?

The main residential support services where long-stay contributions apply are:

- Residential accommodation in the mental health sector
- Residential accommodation in the disability sector.

Other accommodation where long-stay contributions may apply includes:

- Convalescent homes
- Hospitals (while receiving rehabilitation or respite services or when you have been discharged from acute care but are still being looked after at an acute hospital)
- Nursing homes, including older persons' units but excluding nursing home services for a person covered under the Nursing Homes Support Scheme (Fair Deal).

Residential support services are provided by the HSE and by service providers listed in *Appendix 1* who act on HSE's behalf. Appendix 1 includes:

- A list of service providers that are sometimes called "section 38 agencies" because they are agencies that provide services on behalf of the HSE and are funded to do so under Section 38 of the Health Act 2004
- A description of other types of service providers that may sometimes provide overnight residential support services, including:
 - some non-acute hospitals, community hospitals and convalescent homes
 - acute hospitals (while receiving rehabilitation or respite services or while still being looked after at the hospital after being discharged from acute care)
 - other providers of residential places under a contract with the HSE, sometimes referred to as 'contract beds'.

7. What services do long-stay contributions not apply to?

You do not have to pay long-stay contributions if your residential services are provided by a service provider listed in *Appendix 2* which is grant-aided by the HSE under Section 39 of the Health Act 2004. You do not have to pay long-stay contributions for any of the services listed here:

- Acute care, such as a surgical procedure in an acute hospital or short-term treatment in an acute hospital for a severe injury, a severe episode of illness or an urgent medical condition
- Out-patient services such as accident and emergency services
- Nursing home care when you are covered by the Nursing

Homes Support Scheme (Fair Deal)

- Home care services and home care packages.

Also, you do not have to pay long-stay contributions if you are exempted under the legislation. This means that you do not have to pay long-stay contributions if you are:

- Under 18 years of age
- Using maternity services
- In hospital against your will under mental health legislation or criminal insanity legislation
- A Hepatitis C patient who meets certain criteria
- A person with a prescribed infectious disease who meets certain criteria
- A person who pays charges under Section 53A of the Health Act 1970. [This charge is paid in limited and unusual circumstances.]

8. What do long-stay contributions help to pay for?

Your contribution goes towards **maintenance and accommodation** costs. **It might cover costs such as those for:**

- Your room or a room you share
- Cooking facilities
- Heat, light, waste disposal
- Household provisions such as groceries or meals depending on your needs.

Your contribution does not go towards the care you receive.

9. What factors are considered when deciding my actual contribution?

The amount you must contribute is based on three factors.

- **Where you live** — Category A, B or C accommodation
 - **Category A** accommodation where there is full-time (24-hour), medical or nursing care
 - **Category B** accommodation where there is part-time (less than 24-hour) medical or nursing care
 - **Category C** accommodation (all other accommodation such as independent living settings)
- **Your income** — including any payments you get from the Department of Social Protection
- **Your essential outgoings (expenses)** — you may qualify for a **waiver** (reduction or setting aside of contribution) to ensure that what you pay will be within your means, taking account of your needs and your dependants' needs. Information about waivers is available at www.hse.ie/longstaycontributions

10. What income is considered when deciding my standard contribution?

To work out what your long-stay contribution will be, the following types of income will be considered, after statutory deductions have been made. By 'statutory deductions' we mean income tax, PRSI and so on.

Types of income considered

- Department of Social Protection (DSP) payments (except DSP payments listed under question 11)
- Income from your job, being self-employed, a trade, farming, a profession or a vocation
- Earnings **above** €120 a week from a rehabilitative job (for example: if you earn €130 a week, €10 a week will be included in the assessment)
- Income from holding an office or directorship
- Income from your pension including an occupational pension or overseas pension
- Rental income from property and land
- Income from fees, commissions, dividends, interest or income of a similar nature
- Payments under a legal settlement, a covenant or an estate (a will)
- Maintenance payments
- Interest or dividends earned on savings (but only if your savings are **over €15,000**)
- Income from royalties and annuities.

Some income will not be considered. This is also called **excluded** or **disregarded income**. This is covered in question 11.

11. What income is not considered (excluded) when deciding my standard contribution?

Some income will not be considered when your long-term contribution is assessed. This is called **excluded** or **disregarded income**.

- Income that is not your own (for example, the income of your partner, spouse or other family member)
- The first €120 a week of earnings from a rehabilitative job
- Certain payments by public bodies, including:
 - Rehabilitation training allowance
 - Third-level education maintenance grant
 - Accommodation subsidies
 - Supplementary Welfare Allowance (supplements only)
 - Family Income Supplement
 - Child Benefit

- Guardian's Payment (Contributory and Non-Contributory)
- Domiciliary Care Allowance
- Foster Care / Placement of Children with Relatives

Allowances

- Fuel Allowance
- Mobility Allowance
- Island Increase
- Living Alone Increase
- Qualified Adult or Qualified Child Allowances or Increases
- Certain other payments (or income from them)
- Any payment under the Redress for Women Resident in Certain Institutions Act 2015 (for women who worked in, for example, Magdalen Laundries)
- Any ex-gratia payment under the Lourdes Hospital Redress Scheme 2007 or the Lourdes Hospital Payment Scheme
- Any ex-gratia payment under the Symphysiotomy Payment Scheme
- Certain payments for disability caused by Thalidomide
- Interest or dividends earned on savings (if your savings are **not over €15,000**).

12. When and how will I be informed about the contribution I have to contribute?

Your service provider will help you figure out how much you have to pay. You will have an individual **assessment** to make sure that the amount you have to pay is correct. You will need to provide details of all relevant income and outgoings such as expenses.

When your assessment is finished, you will get a letter that tells you the long-stay contribution you must pay.

If your circumstances change, you should tell your service provider, who will arrange another assessment to find out if your long-stay contribution should change.

13. What is the maximum amount I will have to contribute?

To make sure that all contributions are affordable, the maximum anyone can be required to contribute every week is:

- **€177** if you are in Category A accommodation (with 24-hour medical or nursing care) and your weekly income is €218 or more
- **€132** if you are in Category B accommodation (with weekly medical or nursing care on a less-than-24 hour basis) and your weekly income is €204 or more
- **€72** if you are in Category C accommodation (all other accommodation such as independent living) and your weekly income is €198 or more.

Those on lower incomes pay lower contributions. There is information in question 15 on the most you pay if your weekly income is €198.

14. My only income is from the Disability Allowance. How much will I have to contribute?

If your only income is the Disability Allowance of €198 a week (which is the rate from 2 April 2018), the **most** you will contribute each week is:

- **€157** if you are in Category A accommodation (with 24-hour medical or nursing care)
- **€122** if you are in Category B accommodation (with weekly medical or nursing care on a less-than-24 hour basis)
- **€72** if you are in Category C accommodation (all other accommodation such as independent living).

15. Will I have any money left each week for my own use?

Yes, you will always be able to keep some money from your **weekly** income for yourself. **You will be able to keep:**

- **At least €41** if you live in Category A accommodation (with 24-hour medical or nursing care)
- **At least €72** if you live in Category B accommodation (with weekly medical or nursing care on a less-than-24 hour basis)
- **At least €126** if you live in Category C accommodation (all other accommodation such as independent living).

If you consider that the amount of money you are able to keep is not enough, you can apply for a **waiver** (to reduce or set aside your long-stay contribution). Your financial circumstances and the needs set out in your care plan will be considered. If you get a waiver, you will pay a smaller long-stay contribution. Information about waivers is available at www.hse.ie/longstaycontributions

16. Who will carry out my assessment?

Your service provider will select a member of staff to help you figure out how much long-stay contribution you have to pay. You will be contacted by your service provider to arrange a date and time for your individual assessment.

17. Can I get assistance from a family member or advocate? What can they do for me?

Yes. Your service provider will be happy to work with you and your advocate who may (or may not) be a family member. For example, you might ask your advocate to help you with the assessment for your long-stay contribution. They can also attend meetings with you.

18. What information must I provide at my assessment?

For your individual assessment, you need to provide details of all your income. A list of the income that is considered is in question 10. A list of the income that is not considered is in question 11. In some cases, a person's weekly income is large enough that they

have to pay the maximum contribution for their accommodation category. If this is your situation, you do not have to provide income details to your service provider. Instead, you can simply agree that you will pay the maximum contribution. Your service provider will ask you to sign a letter or form saying that you agree that your income is large enough that you should pay the maximum contribution for your accommodation category.

If you apply for a waiver, you might have to provide extra information. Information about waivers is available at www.hse.ie/longstaycontributions

19. How often will I have to pay my long-stay contribution?

In general, your service provider will bill you at the end of the week and not the beginning of the week.

If paying every week is not suitable for any reason, your service provider can arrange a different payment schedule with you. They will talk to you about this.

20. How can I pay my long-stay contribution?

You need to agree how to pay your long-stay contribution with your service provider.

Ways to pay

- Direct debit
- Standing order
- Electronic funds transfer
- Credit card or debit card
- Cash payment
- Cheque
- Bank draft
- Postal order.

21. What can I do if my circumstances change?

If your circumstances change:

- You should tell your service provider about the change in your circumstances
- Your service provider will arrange another assessment to find out if your long-stay contribution should change.

22. What can I do if I am unhappy with the amount my service provider tells me I have to contribute?

If you are unhappy with the level of your contribution, you can:

- Ask for the decision to be **corrected** if a mistake has been made in your assessment

- **Appeal** in writing to:

HSE National Appeals Office
An Clochar, Ballyshannon Health Campus
College Street
Ballyshannon

Co Donegal F94 TPX4.

You can also appeal by **sending an email to:**

www.hse.ie/longstaycontributions

Please outline the reasons why you are dissatisfied with the decision and why you wish it to be reconsidered. Please include a copy of the decision letter and any other relevant documents.

If you are still unhappy after you have appealed, you can:

■ **Write a letter of complaint** to the Office of the Ombudsman.

The address is:

Office of the Ombudsman

18 Lower Leeson Street

Dublin 2

D02 HE97.

23. What expenses or other outgoings can be considered for a waiver of my long-stay contribution?

There are three waiver categories.

■ Avoidance of undue financial hardship includes making sure that you can afford to meet essential expenses such as:

- your own reasonable expenses
- the reasonable expenses of your dependants, such as your children
- existing financial commitments such as the rent or mortgage on your family home
- other essential expenses

■ Expenses to meet identified needs such as the objectives in your care plan

■ Payments you already make for your maintenance and accommodation. This is covered in question 29.

Information about waivers is available at

www.hse.ie/longstaycontributions

24. I live in a nursing home and pay through Fair Deal. Am I affected?

No. If you are part of the Nursing Homes Support Scheme (Fair Deal), you will not pay long-stay contributions.

25. I have a home care package. Will I be affected?

No. There is no charge for a home care package.

26. I have a medical card. Do long-stay contributions still apply to me?

Yes. Your medical card covers your medical care. It does not cover your food, utilities and accommodation. Your long-stay contribution goes toward these expenses. It does not go towards the medical care you receive.

27. If my circumstances change, will my long-stay contribution change?

Reasons your long-stay contribution may change include:

- Your weekly income changes
- You pay off an expense you had a waiver for (such as a mortgage or a loan).

If your circumstances change, tell your service provider. They will update your long-stay contribution.

28. My accommodation is not provided by a health service provider. How does this affect what I pay?

If some or all of your daily living costs – food, utility bills and so on – are met by the HSE or by a service provider listed in *Appendix 1* and you are not accommodated by the HSE or one of those service providers, your contribution will be reduced by the amount of rent you pay or by €30 a week, **whichever is more**.

Two examples

■ Example 1

If you are a tenant of a voluntary housing association and your daily living costs are met by the HSE or a service provider listed in *Appendix 1* and you pay €40 a week in rent, your long-stay contribution will be reduced by €40 a week.

■ Example 2

If you are a tenant of a voluntary housing association and your daily living costs are met by the HSE or a service provider listed in *Appendix 1* and you pay €25 a week in rent, your long-stay contribution will be reduced by €30 a week. [Under the relevant law, the minimum reduction is €30.]

However, if you meet all your own daily living costs and you are **not** accommodated by the HSE or a service provider listed in *Appendix 1*, the contribution does not apply.

29. I contribute to a weekly 'kitty' towards household expenses or I pay rent, or both. Will this change?

No. If you already pay something for groceries and household provisions or pay rent, or both, this can continue.

Many people call the fund that money for groceries and household provisions goes into a 'kitty'. You and your service provider will agree on how much you should pay every week into the kitty. Because your long-stay contribution covers things like food and accommodation, the amount you pay into the kitty or as rent, or both, will continue as part of your long-stay contribution. The tables below show three **examples**.

Example 1

Amount your long stay contribution should be	€70
Amount you pay as rent and/or into the kitty	€65
Additional amount you will pay to bring your contribution up to the amount your long-stay contribution should be	€5

Example 2

Amount your long stay contribution should be	€70
Amount you pay as rent and/or into the kitty	€70
No additional amount to pay to bring your contribution up to the amount your long-stay contribution should be	€0

Example 3

Amount your long stay contribution should be	€70
Amount you were previously paying as rent and/or into the kitty	€75
Reduced amount you will pay as rent/kitty (reduction of €5) to bring your contribution down to the amount your long stay Contribution should be.	€70
Contribution adjustment to bring your contribution down to the amount your long-stay contribution should be	Minus €5

30. Do I have to pay a contribution when I am away from where I normally live and receive services?

No. You only pay for days when you get residential support services from your provider.

If you are at your residence at midnight, your service provider counts that as a day when you got services.

For example, say you leave your residence at 6pm on Friday evening to spend the weekend with a relative and you return at 7pm on Sunday. You do not have to pay for Friday or Saturday, but you do pay for Sunday.

31. Do I have to pay for special events and outings?

Your service provider may arrange outings, holidays or other special events that you may want to attend. These are not part of your maintenance and accommodation, so you might have to pay extra for them.

However, you would not have to pay your long-stay contribution for any days you spend away from your residence during such events or outings. You can find more information on this in question 30.

32. Under what legislation were long-stay contributions introduced?

The relevant laws and regulations, which first came into operation on 1 January 2017, are:

- Sections 67A to 67D of the Health Act 1970

 - The Health (Residential Support Service Maintenance and Accommodation Contributions) Regulations 2016
- The Health (Residential Support Service Maintenance and Accommodation Contributions) (Amendment) Regulations 2018.

2 April 2018