



Oifig an Stiúrthóir Cúnta Náisiúnta,
Foireann Míchumais Náisiúnta,
An Chéad Urlár - Oifigí 13, 14, 15,
Áras Phlásóg na Rós, Coimpléasc Gnó na hOllscoile,
Páirc Náisiúnta Teicneolaíochta,
Caladh an Treoigh,
Luimneach.

Office of the Assistant National Director,
National Disability Team,
First Floor- Offices 13, 14, 15,
Roselawn House, University Business Complex,
National Technology Park,
Castletroy,
Limerick.

17th April 2024

Deputy Mark Ward,
Dail Eireann,
Leinster House,
Kildare Street,
Dublin 2.
E-mail: mark.ward@oireachtas.ie

Dear Deputy Ward,

The Health Service Executive has been requested to reply directly to you in the context of the following parliamentary question, which was submitted to this department for response.

PQ: 14983/24

To ask the Minister for Health if an individual can receive funding towards a private assessment of needs; if they can apply for this in advance of the assessment; and if he will make a statement on the matter.

HSE Response

It is important to note that children do not require an Assessment of Need as defined by the Disability Act (2005) in order to access a CDNT or Primary Care service. They can be referred by a healthcare professional or parent/carer to the CDNT for children with complex needs as a result of their disability, or to Primary Care for children with non-complex needs.

The Assessment of Need process is set out in the [Disability Act, 2005](#). The aim of an Assessment of Need under the Disability Act is to identify whether a person has a disability, the nature and extent of the disability, any health and education needs arising from that disability, as well as what services are required to meet those needs.

The judgement of Ms Justice S Phelan in the case of CTM & JA v the HSE was delivered in March 2022. This judgment found that the Preliminary Team Assessment approach described in the HSE's Standard Operating Procedure for Assessment of Need does not meet the requirements of the Disability Act. This judgement in effect requires the HSE to deliver diagnostic assessments where necessary and appropriate as part of the Assessment of Need process. This ruling has had a significant impact operationally and has resulted in a growth in the numbers of overdue Assessments of Need. The requirement for services to prioritise the statutory Assessment of Need process has also impacted significantly on their capacity to provide necessary intervention / treatment for children with disabilities.

As a result of the Judgement, activity for 2023 indicates that there has been an increase in the total number of applications 'overdue for completion', which now stands at 8,893 (including 343 applications for which an extended time-



frame was negotiated with the parent on the grounds of there being exceptional circumstances as provided for in paragraph 10 of the regulations).

The fourth quarter of 2023 has seen a further increase in the number of applications for assessment of need received (8,472 for the year) which is up 29.2% on the profiled target for the period.

6,755 applications for assessment of need were received in 2022.

Actions to address AON waiting lists

The HSE's National Clinical Programme for People with Disability (NCPDP) has led the process of developing a revised AON Standard Operating Procedure (SOP) incorporating guidance on completion of clinical assessment to replace the element of the SOP which was found to be non-compliant with the Disability Act (2005) – the Preliminary Team Assessment. This was launched on July 14th 2023.

Additional funding

Approximately €10.5m was spent to address waiting lists for clinical assessments identified through the Assessment of Need process and in 2024, €5m in one off funding has been allocated. This funding is being utilised to procure diagnostic ASD assessments from the private sector. In addition, the HSE at local level is using time related savings to source AON assessments privately for children in the order as registered on the AOS (AON information management system).

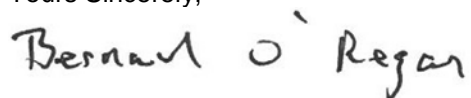
Progressing the outsourcing of these assessments is challenging however, in this regard, Disability Services nationally is working with HSE Procurement to complete a tender process and Service Specification for the delivery of Assessment of Need from private providers. A successful procurement process will facilitate the CDNTs to focus on the provision of intervention for children on their caseloads.

Some families source private assessments to facilitate access to educational supports such as special schools or classes. In many cases, these are unidisciplinary assessments which are usually accepted in the education sector. In general, HSE or HSE funded services, in line with best practice guidelines, use a multidisciplinary approach to assessment, specifically to ASD assessment. In these circumstances, while HSE services may take cognisance of any unidisciplinary reports that may be available, they will undertake a multidisciplinary assessment where appropriate, to confirm a diagnosis and to determine the necessary interventions.

The HSE does not fund or reimburse any fees paid to private practitioners in any of the health service areas where assessments, interventions or therapies have been commissioned by the service user or their family directly

In line with appropriate procurement procedures, Garda vetting and due diligence practice, private providers are currently being contracted by the HSE to provide assessments and / or interventions. In such instances, the HSE ensures that the contracted providers are appropriately qualified and that any assessments or interventions are provided in line with the appropriate standards.

Yours Sincerely,



Bernard O'Regan
Assistant National Director
National Disability Team

