

To: Chief Executive of HSC Board & HSC Trusts;
Copies to: Directors of Finance in HSC Board &
HSC Trusts,
Directors of Adult Social Care in HSC Trusts
Director of Social Care and Children HSC Board;
Chief Executive PHA

Circular HSC (ECCU) 1/2021
12 May 2021

Continuing Healthcare in Northern Ireland: Introducing a fair and transparent system

1. Summary

This circular advises that:

- i. The Department of Health launched a public consultation on Continuing Healthcare in Northern Ireland: Introducing a Transparent and Fair System in 2017.
- ii. The outcome of the consultation was published on the Department's website on 11 February 2021: <https://www.health-ni.gov.uk/consultations/continuing-healthcare-northern-ireland-introducing-transparent-and-fair-system> .
- iii. The preferred option which emerged from the consultation was to introduce a single eligibility criteria question for continuing healthcare. This is: 'can your care needs be properly met in any other setting other than a hospital?.'
- iv. The new policy of a single eligibility criteria question is applicable as of 11 February 2021.

The Annex contains additional detail.

2. Action

- i. HSC Trusts are asked to note that the content of this circular represents an update to **paragraphs 17 and 88 only, in relation to Continuing Healthcare**, of Circular ECCU 1/2010: Care Management, Provision of Services and Charging Guidance and takes effect from the 11 February 2021.

3. Enquiries

Any enquiries relating to this Circular should be directed to:

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Background

1. The Department of Health carried out a comprehensive review on the current continuing healthcare policy. The review found that there was some confusion about continuing healthcare, its applicability and the risk of variance in continuing healthcare practice across Northern Ireland. The findings from this exercise facilitated the identification of a number of options in order to clarify continuing healthcare policy in Northern Ireland.
2. A public consultation on 'Continuing Healthcare in Northern Ireland: Introducing a Transparent and Fair System' was launched on 19 June 2017 and closed on Friday 15 September 2017. A consultation analysis report was subsequently published on the Department's website on 11 February 2021: <https://www.health-ni.gov.uk/consultations/continuing-healthcare-northern-ireland-introducing-transparent-and-fair-system> .
3. The outcome of the consultation revealed that more respondents considered Option 3 (the introduction of a single eligibility criteria question), to be the most suitable option for the Department to implement. This is 'can your care needs be properly met in any other setting other than a hospital?' If the answer is 'yes', then the individual will be discharged to the appropriate care setting and depending on the type of care package, be subject to the relevant charging policy.
4. Whilst this is a significant change to the policy, it will provide a clear and easily understood test and will ensure a consistent and standardised approach in continuing healthcare outcomes across Northern Ireland. Importantly it will help in addressing any existing inequality issues for individuals.

Eligibility

5. The new policy of a single eligibility criteria question is applicable as of the 11 February 2021. Any applications for continuing healthcare already in the system prior to this should be assessed in line with previous guidance or policies. New applicants from that date will be subject to the new policy of a single eligibility question.
6. Those individuals already in receipt of continuing healthcare, will continue to receive it for as long as they remain eligible to do so (as judged against the guidance and policies in

place at the time they were awarded continuing healthcare) and therefore will not be disadvantaged as a result of the new arrangements.

7. HSC Trusts are asked to note the content of this circular which represents an update to paragraphs 17 and 88 only of Circular HSC (ECCU) 1/2010, in line with the new policy, taking effect from the 11 February 2021. In particular that:
 - Any applications for continuing healthcare already in the system prior to 11 February 2021 should continue to be assessed in line with previous guidance.
 - Any new applications, from 11 February 2021, should be considered under the new policy of a single eligibility criteria question.

Guidance

8. Following on from the outcome of the consultation, the Department of Health will establish a working group with key stakeholders in order to develop associated guidance to support this policy.
9. However, the introduction of a single eligibility criteria 'can your care needs be properly met in any other setting other than a hospital?' takes effect from the **11 February 2021**.