

## Top tips to get free NHS continuing healthcare

Michael Stennett is a solicitor specializing in protecting family assets and has helped many people save their homes from being taken to pay for care fees.

Care home fee funding is determined by the individual's needs. If their need is primary health the NHS will cover the cost of care. If the need is mainly social, then the local authority will carry out a means test to decide if and how much care they will fund. Making a claim for continuing care can be complex and confusing. People with a diagnosis of dementia and their carers must begin considering continuing care funding as early as possible. Even if a person is not yet eligible for continuing care it is worth preparing for assessments in the future.

This checklist will also be useful to people who want to challenge decisions on NHS continuing healthcare.

1. Start a medical history for the person needing care and keep it updated.
2. Keep a good record of discussions with staff from the care home, social services, hospital and the GP. It is not uncommon for records kept by the various bodies involved in a person's care to be inaccurate or inadequate.
3. Request medical records from various bodies involved in the care of the person e.g. the hospital or the GP.
4. Apply for continuing care in writing. Send your request by email, fax and/or by recorded delivery so that you have proof that the application was submitted. Keep all correspondence in order and file all the information you gather.
5. Use the Department of Health National Framework for continuing care to do your own assessment of the person's needs.
6. Make an effort to attend all assessments or review hearings so that the family's point is presented clearly.
7. If you are unhappy with a decision make sure you ask for a review within time. The Department of Health announced on 15 March 2012 that anyone wishing to claim NHS nursing care fee funding for the period from 1<sup>st</sup> April 2004 to 31<sup>st</sup> March 2011 must apply before 30<sup>th</sup> September 2011. Someone wanting to claim NHS care fee funding for a period from 1<sup>st</sup> November 2011 to 31<sup>st</sup> March 2012 must apply by 31<sup>st</sup> March 2013. The deadline applies to previously unassessed periods of care and to those whose claims for funding has been turned down.

Call Michael Stennett on 020 8920 3190 if you think you may have a claim for NHS continuing care or need advice about claiming social care fee funding from the local authority.

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