



A presentation on Fair Deal Citizens Information Service

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Fair Deal – What is Fair Deal?

The **Nursing Homes Support Scheme** is also known as the “Fair Deal”. This scheme provides financial support to people who need long-term nursing home care. The scheme is operated by the Health Service Executive (HSE).



Fair Deal – The Perfect Storm?



Fair Deal – Who can apply?

Anyone who is ordinarily resident in the State and needs long-term nursing home care can apply for the scheme.

Under this scheme, you make a contribution towards the cost of your care and the HSE pays the balance. The scheme covers approved private nursing homes, voluntary nursing homes and public nursing homes.



Fair Deal – Who can apply?

- ❑ **Step 1** is an application for a **Care Needs Assessment**. This is to assess whether or not you need long-term nursing home care, that is, whether you can be supported to continue living at home or whether long-term nursing home care is more appropriate.
- ❑ **Step 2** is the **Financial Assessment**. The Financial Assessment looks at your income and assets to work out what your contribution to the cost of your care will be. The HSE will then pay the balance of your cost of care. This payment by the HSE is called State support.
- ❑ All applicants must complete Steps 1 and 2.



Fair Deal – Who can apply?

- ❑ **Step 3** is an optional application for the **Nursing Home Loan**. You can apply for this if you want to defer paying the part of your contribution that is based on your home or other property.



Fair Deal – Currently...

- ❑ Participants contribute to the cost of their care according to their means, while the State pays the balance of the cost.
- ❑ Where an individual's assessed weekly contribution is **greater** than the cost of care, **they do not** qualify for financial support.
- ❑ The capital value of an individual's principal private residence is only included in the financial assessment for the scheme for the first three years of their time in care.



Fair Deal – Currently...

- ❑ Currently, this unqualified three-year cap does not apply to productive assets, such as farms and businesses, except in the case where a farmer or business owner **suffers a sudden illness or disability and, as a result, requires nursing-home care.**

This has been a hugely emotive issue for farm families and business owners in communities across Ireland, and one that the Programme for Government sought to deliver on



Fair Deal – New Changes...

The *Nursing Homes Support Scheme (Amendment) Bill 2021* has passed through the Oireachtas and has been signed by the president of Ireland. (Commencement date is 20th October 2021).

- ☐ It **amends** the nursing-homes support scheme, to protect family farms and businesses from nursing-home care costs, where a family successor commits to working the farm or business for **six years**.
- ☐ After **three years**, the value of family-owned farms and businesses will no longer be taken into account when calculating the cost of a person's nursing home care.

Fair Deal

- ❑ After **three years**, the value of family-owned farms and businesses will no longer be taken into account when calculating the cost of a person's nursing home care **-if you fulfil all of the following:**
 - ❑ Have suffered a sudden illness or disability which causes you to need long-term care.
 - ❑ You or your partner ran the farm or business up until the time of the sudden illness or disability.
 - ❑ A family successor certifies that he or she will continue the management of the farm or business.
 - ❑ This is to make sure family farms and businesses can continue in business if you suffer a sudden illness.



Fair Deal – Application Process?

When you apply, **your care needs are assessed** to confirm that long-term nursing home care is the most appropriate option for you.

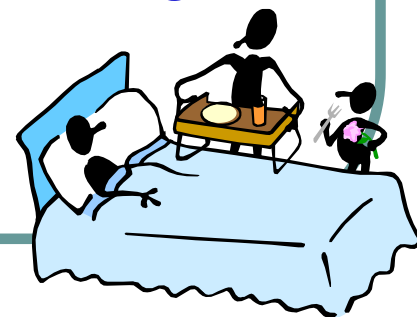
Your **financial situation is also assessed** to see how much you will have to contribute towards your nursing home fees. If your contribution is less than the amount of the fees, the HSE will pay the rest.



Care Needs Assessment

The Care Needs Assessment will be carried out by healthcare professionals appointed by the HSE, for example, a nurse. It may be completed in a hospital or a community setting such as your own home and may involve a physical examination. The assessment will take into account:

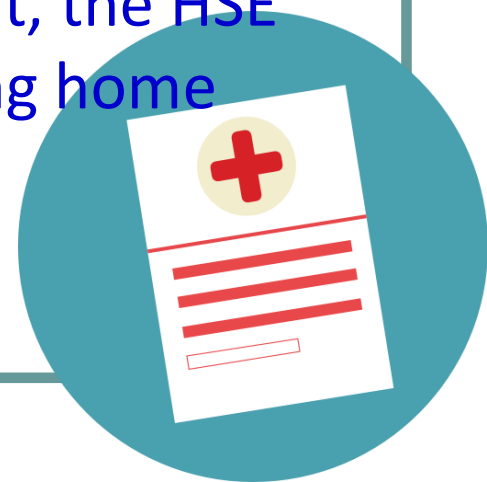
- ☐ *Your ability to carry out the activities of daily living, for example, bathing, shopping, dressing and moving around*



Care Needs Assessment cont'd

- ☐ *The medical, health and personal social services provided to you or available to you at the time of the assessment and generally*
- ☐ *The family and community support available to you*
- ☐ *Your wishes and preferences*

When the Care Needs Assessment has been completed, a report will be prepared. Based on the report, the HSE must decide whether or not long-term nursing home care is the most appropriate option.



Care Needs Assessment cont'd

- ☐ Once a decision is made, you will be notified in writing within 10 working days. You will be given a copy of the report and the reasons for the decision.
- ☐ You must be assessed as needing nursing home care in order to be eligible for either State support or the Nursing Home Loan.
- ☐ The HSE may use the Care Needs Assessment to identify other health or personal social service needs.



Change in Circumstance

If one experiences a change in circumstances – from change of address; change of income; change of health (recovery or decrease in health and well being) – it is up to the individual to notify the HSE. **Regular reviews** are carried out as part of any scheme and level of care can be adjusted depending on such a review.



Financial Assessment

- ❑ Your **financial situation is also assessed** to see how much you will have to contribute towards your nursing home fees. If your contribution is less than the amount of the fees, the HSE will pay the rest.
- ❑ Assets, such as savings and property, are taken into account when assessing your financial situation.



Financial Assessment

☐ What is an asset?

- ☐ An asset is **any material property or wealth**, including property or wealth outside of the State. Assets are divided into two distinct categories, namely cash assets and non-cash assets. **Cash assets** include savings, stocks, shares and securities.

- ☐ **Non-cash assets** include all forms of property other than cash assets, for example a person's principal residence, holiday property or land.

☐ What is savings\income?

- ☐ Earnings – wage or salary
- ☐ Pension
- ☐ Social welfare benefits or allowances
- ☐ Rental income
- ☐ Income from holding an office or directorship
- ☐ Income from fees, commissions, dividends or interest



Contribution to Care

Having looked at your income and assets, the Financial Assessment will work out your contribution to care. You will contribute:

- ❑ **80%** of your income (less deductions or disregards) and
- ❑ **7.5%** of the value of any assets per year



Deductions and Disregards

The first €36,000 of your assets, or €72,000 for a couple, will not be counted in the Financial Assessment.

*If you are part of a couple, you will contribute half of the amounts above, that is, **40%** of your income and **3.75%** of the value of your assets per year.*



Deductions

In relation to income, the following deductions are allowed:

- ☐ Income tax, social insurance contributions and levies actually paid
- ☐ Where a person owns their principal residence, interest on loans for the purchase, repair or improvement of the principal residence
- ☐ Where a person rents their principal residence (i.e. is living in rented accommodation), rental payments in respect of the residence can be deducted where the person's partner or a child aged under 21 of the couple lives in the residence
- ☐ Some health expenses (excluding contributions payable under Fair Deal)
- ☐ Maintenance payments in respect of a child, spouse or former spouse made under a separation agreement or a court order



Principle Residence

- ❑ Your **principal residence** will only be included in the financial assessment for the **first 3** years of your time in care. This is known as the 22.5% or 'three-year cap'. It means that you will pay a 7.5% contribution based on your principal residence for a maximum of 3 years *regardless* of the length of time you spend in nursing home care.



Principle Residence

- ❑ In the case of a couple, the contribution based on the principal residence will be capped at **11.25%** where one partner remains in the home while the other enters long-term nursing home care.





Transferring the Family Farm

Family involvement in planning for succession is essential. A key aim must be to have an open conversation with the people involved so that misunderstandings can be avoided.



Transferring the Family Farm

Some issues you can address\consider:

- ☐ Writing a will / forming trusts
- ☐ Starting the conversation within the family
- ☐ Income security after retirement and pensions
- ☐ Fair deal scheme and its conditions
- ☐ Options to cater for other siblings
- ☐ Forming a partnership with your children



Transfer the family farm

If you own a farm or business, the 'three-year cap' will also apply to you if you fulfil all of the following:

- ☐ Have suffered a sudden illness or disability which causes you to need long-term care.
- ☐ You or your partner ran the farm or business up until the time of the sudden illness or disability.
- ☐ A family successor certifies that he or she will continue the management of the farm or business.
- ☐ This is to make sure family farms and businesses can continue in **business if you suffer a sudden illness.**



New changes introduced

- ❑ Farmers will be eligible for a proposed new Fair Deal scheme *once a successor is in place*; has been involved in the farm for **three of the previous five years**; and agrees to continue to **farm the land for six subsequent years**. The Cabinet recently approved the publication of the Nursing Homes Support Scheme (Amendment) Bill 2021 for family farms and businesses. This sees the financial contributions of family-owned and operated farms, towards the cost of nursing-home fees, **capped at three years**.



Safeguards

There are safeguards built in to the Financial Assessment which ensure that:

- ☐ Nobody will pay more than the actual cost of care
- ☐ You will keep a personal allowance of 20% of your income or 20% of the maximum rate of the State Pension (Non-Contributory), whichever is more
- ☐ If you have a spouse or partner remaining at home, they will be left with 50% of the couple's income or the maximum rate of the State Pension (Non-Contributory), whichever is more
- ☐ A couple is defined as a married couple who are living together. It also includes a heterosexual or same-sex couple who are living together as life partners for at least 3 years.



Sale of asset

- ☐ If you sell your home, farm or business before or after the 'three-year' cap has expired
- ☐ If you sell an asset that was subject to the 'three-year' cap at any stage, the money of the sale becomes assessable as part of cash assets.
- ☐ You must tell the Nursing Homes Support Scheme Office about any sale. You must do this **within 10 working days** of the date of the sale.



Sale of asset

- ☐ If you sell your home, farm or business before or after the 'three-year' cap has expired
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- ☐ You must tell the Nursing Homes Support Scheme Office about any sale. You must do this **within 10 working days** of the date of the sale.



Summary table for 7.5% yearly contribution re assets

Asset	7.5% per year	3 year cap	Option to take up Nursing Home Loan	Option to further defer
Chargeable asset	Yes	No	Yes, if they are a land-based asset in the Irish State. Otherwise no.	No
Principal Private Residence	Yes	Yes	Yes	Yes
Farm/Relevant Business	Yes	Yes (but certain qualifying criteria)	Yes, if they are a land-based asset in the Irish State.	No



Appeals and Reviews

- ❑ **Appeals:** The HSE will inform you of the appeals process and give you details of your local Appeals Office when it writes to you to inform you of the outcome of your Care Needs and Financial Assessments.
- ❑ If, for example, your Care Needs Assessment found that you did not need long-term nursing home care, you can appeal the decision to your local Appeals Office.



Appeals and Reviews

Reviews: Any Care Needs Assessment can be reviewed six months after a previous assessment or earlier if either:

- ☐ The HSE is satisfied that there has been a material change in your health or circumstances or
- ☐ A registered medical practitioner states that, in their opinion, there has been a material change in your health or circumstances since your most recent care needs assessment



Appeals and Reviews

Reviews are carried out by your local Nursing Home Support Office and you should contact them if you want to have your Care Needs or Financial Assessment reviewed.

Once the HSE has made a decision regarding the review, you will be notified of the decision and the reasons for the decision, in writing, **within 10 working days.**





Fair Deal – Who can apply?

- ❑ **Step 3** is an optional application for the **Nursing Home Loan**. You can apply for this if you want to defer paying the part of your contribution that is based on your home or other property.



Nursing Home Loan

- ☐ Where your assets include land and property, the contribution based on these may be deferred until after your death. If you are approved for the Nursing Home Loan, the HSE will pay the money to the nursing home on your behalf and it will be collected after your death.
- ☐ In certain circumstances the payment may be deferred for a longer period, for example, if a spouse or partner or your former carer is still living in your principal private residence.
- ☐ You can apply for the Loan when you first apply for Fair Deal or at any stage while resident in the nursing home.
- ☐ In order to apply for the Nursing Home Loan you must provide written consent to having a Charging Order registered against your asset. If you are part of a couple, your spouse/partner must also provide written consent.



Nursing Home Loan

- ☐ The Charging Order is a ***simple type of mortgage*** which secures the money loaned by the HSE.
- ☐ After you consent, the HSE is responsible for making the Charging Order, registering it against your asset and making Nursing Home Loan payments on your behalf. You will not need to do anything (although the HSE may need to check with you about the information in your application).
- ☐ If a person does not have the capacity to consent to the Nursing Home Loan and the Charging Order, a Care Representative will need to be appointed to act on his/her behalf.



Nursing Home Loan

All of the couple's assets are assessed. Both partners are required to sign the application form if applying for a nursing home loan. If either partner has reduced capacity to make decisions the other partner will need to be either a:

- ☐ Care representative (a person appointed by Circuit Court)
- ☐ Ward of Court (a person appointed by Office of Ward of Courts)
- ☐ Holder of a registered enduring power of attorney (chosen to act on behalf of another person)

A registered enduring power of attorney needs to be in place before the applicant becomes unable to make decisions.



Nursing Home Loan

The nursing home loan will need to be repaid after death. You can choose to repay this any time before death. You will need to repay the loan immediately if:

- ☐ you sell or transfer your property (you must notify your Local Nursing Home Support Office within 10 working day of the sale or transfer)
- ☐ you or your partner declare bankruptcy
- ☐ you provide false information in the application
- ☐ repayment of the loan is paid to Revenue





Care Needs Assessment cont'd

- ☐ Once a decision is made, you will be notified in writing within 10 working days.
- ☐ You must be assessed as needing nursing home care in order to be eligible for either State support or the Nursing Home Loan.
- ☐ The HSE may use the Care Needs Assessment to identify other health or personal social service needs.



Home Support Service

- ❑ The HSE Home Support Service (formerly called the Home Help Service or Home Care Package Scheme) aims to support older people to **remain** in their own home for as long as possible.
- ❑ The services, for example, additional home help hours or nursing services might be needed due to illness, disability or after a stay in hospital or following rehabilitation in a nursing home.
- ❑ Support for everyday tasks like getting in and out of bed, bathing and dressing, doing daily activities.



Social And Community Care Services

- ❑ The Nursing Home Support Scheme (Fair Deal) provides financial support to people who require long-term nursing home care
- ❑ A Nursing Home Loan is a payment by the HSE to the nursing home on the person's behalf and it will be collected after death
- ❑ The HSE **Home Support Service** – aims to support older people to remain in their own homes for as long as possible
- ❑ The **Consumer Directed Home Support** involves the person arranging home support services directly with an approved external provider





Contacting the HSE....

Contact us 9am to 5pm Monday to Friday
Call us on 1800 700 700 or 01 240 8787

The HSE has produced a Nursing Homes Support Scheme Information Booklet as well as National Guidelines for the Standardised Implementation of the Nursing Home Support Scheme.



Getting the application form

How do I get a copy of the application form?

From your **local Citizens Information Centre** – they will post out a copy if you ring in and give your details. From our website

www.citizensinformation.ie

☐ From the HSE website www.hse.ie

☐ From the Teagasc website www.teagasc.ie



Further supports....

Is there an information support line?

If you need help completing the form or have any questions you can call the **HSELive team** from 8am - 8pm Monday to Friday and 10am - 5pm on Saturdays. Freephone 1800 85 1500 Phone: 01 240 8787

Nearest Nursing Homes Support Offices:

Longford & Westmeath: HSE Nursing Homes Support Office
Health Centre, Longford Road, Mullingar, Co Westmeath **Phone:** 044 939 4995

Laois & Offaly: HSE Nursing Homes Support Office, Bury Quay,
Tullamore Co. Offaly Phone: 057 932 7834; 057 932 7821; 057 932 7830





When do I start the plan? conversation?

“Making a Will won’t kill you!”

Start the conversation as soon as there is another generation!

“*One day all of this is yours*”.....you have already made a promise!

If you want to have a say over who inherits all or part of your estate, you should make a will.

You can also complete and keep an updated list of the things that you own.

You can use a form like our form, ***Where my possessions are kept***. It will make it easier to identify and trace your possessions after you die. You should keep the list in a safe place. Never give out passwords or PINs!



Other considerations....

Transfer the family farm: Consider the following specific issues that require discussion and decision when a succession plan is being put in place:

- ✓ **The farm business**
- ✓ **The farm family**
- ✓ **The Legal Issues**
- ✓ **Taxes**
- ✓ **Collaborative Farming**
- ✓ **Pension and Retirement**
- ✓ **Education**





Contacting Citizens Information



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www.citizensinformation.ie



CALL
0761 07 4000

Mon to Fri 9am to 8pm



DROP IN

260 locations nationwide



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As a valued stakeholder we want to bring to your attention that the telephone prefix for the Citizens Information Service is changing to **0818**.

You can contact your local
now on

We would also ask you to update any of your references
to our service.

This change follows a ComReg review.
Our 0761 prefix will cease to operate from 1 January 2022.

Will calls to 0818 cost more?

Calls to 0818 will cost the same as the previous 0761 numbers.
Calls to 0818 are included in call bundles or will cost no more
than calling a landline.

FREE, CONFIDENTIAL AND INDEPENDENT.

Call **0818 07 4000** Monday to Friday, 9am to 8pm
Visit citizensinformation.ie for more information

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Our Family Tree....


**Citizens
Information**

0761 07 3000

**National
Advocacy
Service**

for People
with Disabilities

 **mabs**
Money Advice & Budgeting Service

MABS Helpline

0761 07 2000

Monday to Friday: 9am - 8pm



0761 07 4200

 **SIGN LANGUAGE
INTERPRETING SERVICE**



assistireland.ie

Information on daily living aids

Provided by the Citizens Information Board



Remit of Citizens Information Service

- ❑ Citizens Information Services provide a face-to-face service to the public through a network of Citizens Information Centres.
- ❑ Citizens Information Services provide **free, impartial and confidential** information, advice and advocacy service.



Citizens Information Service

Historically:

- ☐ Helping clients to identify their eligibility for Social Welfare payments and claim for same

Currently:

- ☐ Social Welfare Claims; Health; Housing; Education; Employment; Travel; Consumer Topics; Family Matters; etc.
- ☐ Providing information to clients to assist them in understanding their options so they can make an informed decision
- ☐ Guidance to clients with regards to engaging with reviews, appeals and employment fora
- ☐ Empowering the client and/or supporting the client (to include representation)



LIFE EVENT



JOB SEEKERS BENEFIT

JOB SEEKERS ALLOWANCE

RENT SUPPLEMENT

FUEL ALLOWANCE

FAMILY INCOME SUPPORT

BACK TO SCHOOL CLOTHING
& FOOTWEAR ALLOWANCE

MEDICAL CARD

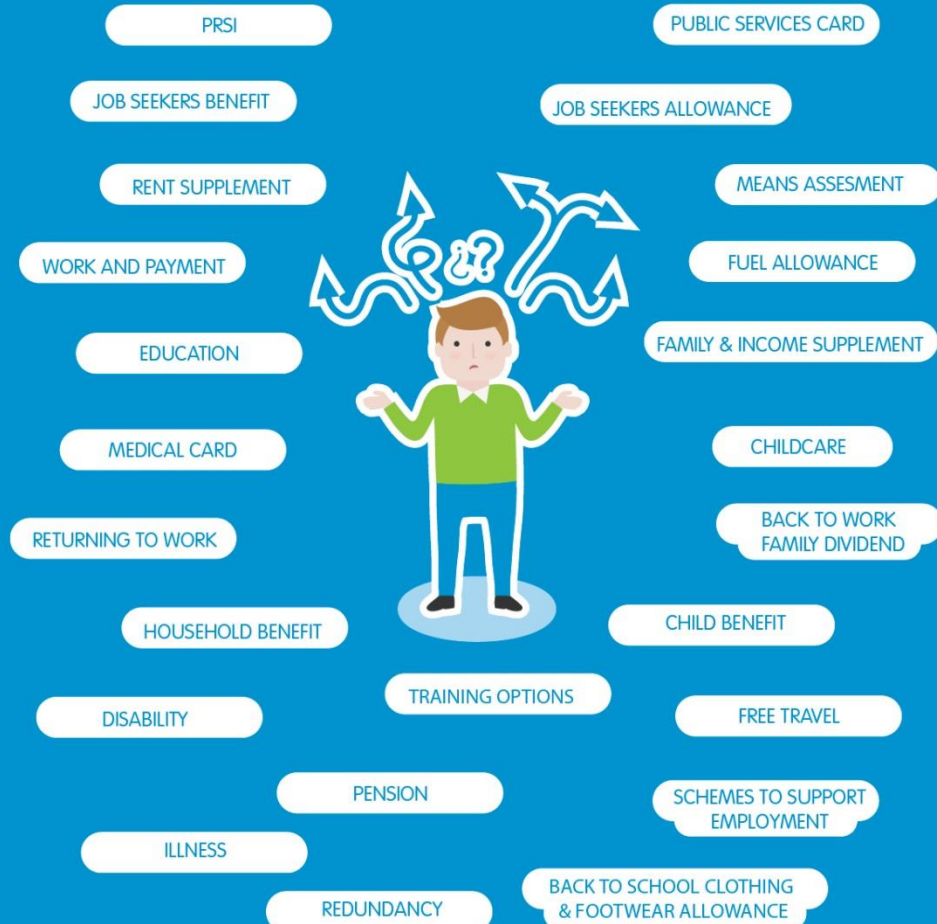
CHILD BENEFIT

FREE TRAVEL

HOUSEHOLD BENEFIT

RIGHT PAYMENT @ RIGHT TIME

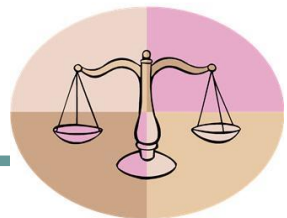
LIFE EVENT



RIGHT PAYMENT @ RIGHT TIME

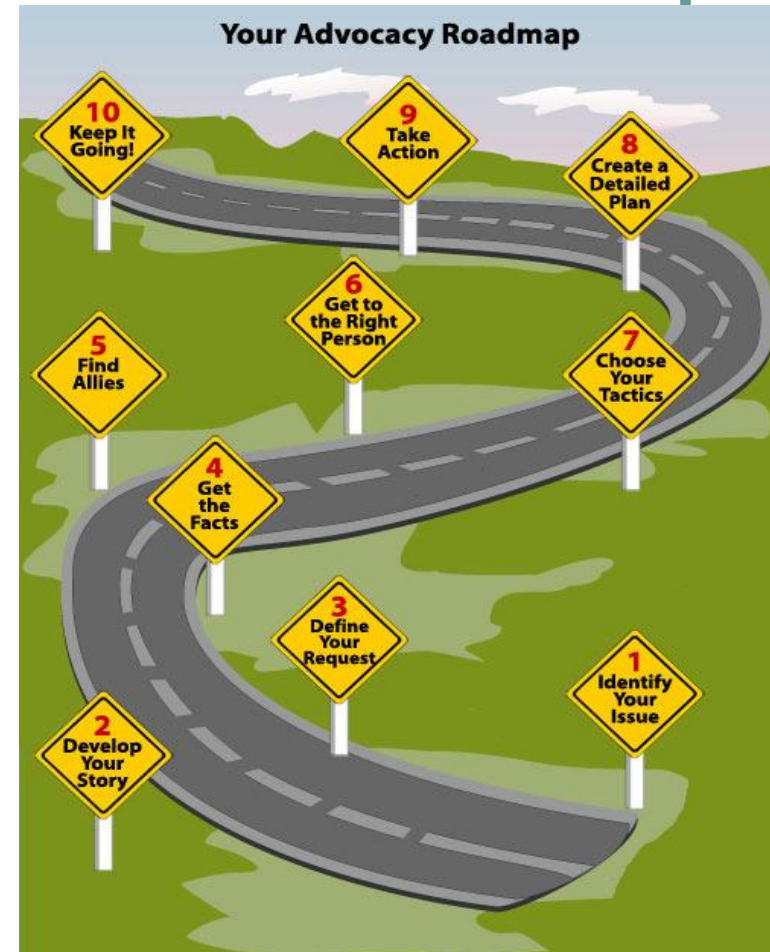
Social Policy

- ❑ Social policy work is about bringing issues to the attention of public policy makers and those who have responsibility for the administration of services. No other service sees so many people with so many kinds of queries and that allows us to give people the knowledge and the confidence they need to find their way forward whatever their problem. The services gather and source information from various government departments and agencies and make sure that people have all the information they need to access their rights or entitlements, presented in an easy-to-understand way.
- ❑ This way Citizens Information contributes to the improvement of services by feeding back to policy makers and service providers **evidence** gathered over time on the impact of policies and practices on people.



Advocacy

- ☐ Employment Appeals
- ☐ Social Welfare Reviews
- ☐ Community Welfare Reviews
- ☐ Social Welfare Appeals
- ☐ Community Welfare Appeals
- ☐ Local Authority Matters
- ☐ Negotiation & Mediation
- ☐ Self-empowered supported advocacy (family matters; debt)
- ☐ (Private) Residential Tenancy Board



Boundaries, Policies and Case Management

Boundaries

- ☐ Union
- ☐ Solicitor
- ☐ Politician
- ☐ Other Service Provider

Policies

- ☐ Contract of Engagement with Client
- ☐ Confidentiality
- ☐ Professionalism, Respect, Perseverance, Timely Manner (Deadlines, deliverables, client's wishes and defined and agreed outcomes\expectations)

Case Management

- ☐ Case Management System – client details, issues, expected and agreed outcomes, approach for case, case review, Subject Matter Expertise; Administration; Mentoring & Management; Case Closure



Contacting us.....

Athlone Citizens Information Centre,
Office 2, Arcadia Retail Centre,
Athlone,
Co. Westmeath **N37 TH03**
T.: 0761 07 6610
E.: athlone@citinfo.ie

Mullingar Citizens Information Centre,
County Buildings Campus,
Mount Street,
Mullingar,
Co. Westmeath **N91 RP22**
T.: 0761 07 6660
E.: mullingar@citinfo.ie





Useful Links...

❑ Citizens Information

- ❑ https://www.citizensinformation.ie/en/health/health_services/health_services_for_older_people/nursing_homes_support_scheme_1.html
- ❑ https://www.citizensinformation.ie/en/reference/checklists/checklist_of_where_my_possessions_are_kept.html
- ❑ <https://centres.citizensinformation.ie/>

❑ Health Service

- ❑ <https://www2.hse.ie/services/fair-deal-scheme/contact-a-nursing-homes-support-office.html>
- ❑ <https://www2.hse.ie/services/fair-deal-scheme/about-the-fair-deal-scheme.html>
- ❑ <https://www2.hse.ie/services/fair-deal-scheme/fair-deal-application-process.html>
- ❑ <https://www2.hse.ie/services/fair-deal-scheme/nursing-home-loan.html>
- ❑ <https://www.gov.ie/en/service/0d6b5-fair-deal-scheme/>

❑ Teagasc

- ❑ <https://www.teagasc.ie/media/website/publications/2018/Supports-for-Farmers.pdf>
- ❑ <https://www.teagasc.ie/media/website/publications/2020/Business-Management---Farm-Succession---putting-a-plan-together.pdf>
- ❑ <https://www.teagasc.ie/media/website/publications/2020/Transferring-the-Family-Farm-2020-web.pdf>



Useful Links...

Revenue

- ❑ <https://www.revenue.ie/en/life-events-and-personal-circumstances/nursing-homes-fair-deal-loan/index.aspx>
- ❑ <https://www.revenue.ie/en/life-events-and-personal-circumstances/nursing-homes-fair-deal-loan/index.aspx>

Legislation

- ❑ <http://www.irishstatutebook.ie/eli/2021/act/27/enacted/en/html>

Irish Farmers Association

- ❑ <https://www.ifa.ie/fair-deal-social-protection/>





