

For assistance contact the experts...

Or email nursingcare@leoabse.com
www.leoabse.com

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**Are you or a
member of
your family
receiving
nursing care?**

**Are you paying
for this care?**

**You could be
entitled to a
refund**



**Call the experts...
Leo Abse & Cohen**

08459 006 007 (local rate)
www.leoabse.com



What is Nursing Care?

Nursing care is usually provided at Nursing Homes which provide accommodation, meals and personal care, but also have qualified nurses in constant attendance. Many also provide more specialist dementia care. A nursing home will generally charge higher fees than a residential home because it offers care by qualified nurses, although the NHS now makes a contribution to nursing care fees. The minimum age for admission is normally 65.



What is the difference between Nursing and Residential Care?

Residential care is for people who can not continue living in their own home. You can stay in residential care for a short time, over a longer period or permanently. You would stay in a comfortable furnished room and staff are usually available 24 hours a day. A residential care home normally provides accommodation, meals, and 'personal care'. Personal care can include such things as assistance in getting up or going to bed, eating, washing, dressing, and using the toilet.



Can Nursing Care be given at home?

Yes. Recent trends show that people are staying longer in their own homes these days and receiving care at home before actually moving into a Nursing Care home. Nursing care is available regardless of where the person receiving care resides.

Who should pay for it?

If you're not eligible for NHS Fully Funded Care then you might have to pay. You will be charged by Social Services on a means tested basis for the nursing care and the cost of accommodation within the Local Authority home.



Should I have paid for it?

If you do not and did not qualify for NHS Fully Funded Care - then the answer is yes. If your need for nursing care arose from a primary health need, then as from 1st April 1996, you should have been entitled to Fully Funded NHS Care and therefore should not have been paying.

Have I paid for it and shouldn't have?

If the decision to not allow you NHS Fully Funded care was unlawful on the basis of the totality, quality and quantity of your healthcare requirements then you should not have paid anything. We can investigate this for you.

Will I get any money back and if so how much?

You are entitled to recover the amounts that would have been paid by the Health Authority had you been correctly been assessed, awarded and deemed entitled to NHS Fully Funded Care. This will mean an amount not in excess of the fees you actually incurred.



What is the process?

- In the first instance we will invite you to complete a questionnaire about your particular requirements.
- We will then offer you a FREE consultation to discuss your care.
- We will then need to obtain your medical records and the assessments together with the eligibility criteria used by the Health Authority at the time to assess the reasonableness of the decision to refuse you NHS Funded Nursing Care.
- We can then seek a review of the decision not to allow you NHS Fully Funded Care.
- If you are dissatisfied with the review, you are entitled to appeal.
- If you remain dissatisfied we can commence legal proceedings.

Will it take a long time?

It is not unusual for the process to take in excess of 18 months. We will keep you updated with progress and support you all the way.

What happens whilst I am claiming - will I still be paying?

Yes. You will continue to pay social services for as long as you receive the care until the decision is made upon review or appeal that the decision to refuse you NHS Funded Nursing Care was unreasonable.

Will me claiming jeopardise the care that I am receiving?

No this should not happen. The claim will be made against the Health Authority and not against Social Services.



If I have an Enduring Power of Attorney (EPA) can I claim on behalf of a family member?

Yes, but we will need a copy of the EPA.

What about relatives who have passed away - can families claim for them?

Yes a claim can be made on behalf of the estate.

Who can help?

We will help and support you at every step of the way, and will also advise you of any other support that is available to you.

What do I do next?

Simply gather any paperwork you have in terms of medical records and assessments that could assist us and contact us for a without obligation free discussion on 08459 006 007 (local rate) - our dedicated team are here to help you and your family.

