

This Factsheet is about Continuing NHS Healthcare funding. It should be read together with our general information leaflet about our service.

People living in care homes or receiving care at home may be entitled to receive Continuing NHS Healthcare funding to meet the cost of their care needs if their physical and/or mental healthcare needs meet the eligibility criteria set by the relevant local Health Board. Health Boards, to whom all requests for funding should be made in the first instance, will need to consider each person's care needs in detail to determine whether or not their 'primary need' is for healthcare. If a 'primary healthcare need' exists the Health Board is required to meet the costs of that person's care and/or make suitable arrangements for their healthcare needs to be met. Continuing NHS Healthcare funding is not means tested.

You can ask your local Health Board to assess the needs of a person currently receiving care and/or request a retrospective assessment of past care needs. However, Health Boards can only now consider new requests for retrospective NHS funding for periods from 1 April 2003. Currently, there is high demand in Wales for Continuing NHS Healthcare assessments and reviews. This is particularly the case for retrospective claims, where the demand on Health Boards and the complexity of many claims, may mean that you will have to wait for your request to be fully considered.

### What the Ombudsman can do

If you think that a decision by the Health Board to refuse Continuing NHS Healthcare funding for you, your relative or a person you look after, is flawed, the Ombudsman may be able to help you. He can usually look at your complaint if:

- A request for an assessment or review was unreasonably refused or has been unreasonably delayed (see also note above);
- The process of assessment of your claim was significantly flawed;
- The reason for refusing funding was illogical, flawed, or not based on evidence and that those flaws are likely to have made the decision unreasonable.

### What the Ombudsman cannot do

He cannot:

- undertake his own assessment of health care needs;
- help you make a claim for CC funding (there are other organisations who may do this – see 'further information' below);
- tell you whether, or not, CC funding should have been granted or replace the LHBs decision and direct them to pay CC funding;
- say whether the particular eligibility criteria used by the LHB is unlawful (that is for the courts to decide).

## Issues to bear in mind

If the Ombudsman upholds your complaint he may make recommendations to the Health Board about what they should do. This may include a request to carry out a new assessment of healthcare needs, or to hold a new panel to consider your appeal.

You do not need to make your complaint to the Ombudsman using a solicitor or any other advocate; his service is free and impartial and we aim to make the process as easy to follow for complainants as possible.

## Further information

You may like to consider contacting the following organisations for advice:

**Age Cymru** can provide information and advice. You can contact them by phone on 0800 169 65 65 or on the internet - [www.agecymru.org.uk](http://www.agecymru.org.uk) .

**MIND** can provide help and advice on a range of mental health issues contact by phone on 02920 395123 or on the internet [www.mind.org.uk](http://www.mind.org.uk)

The **Alzheimer's Society** can provide help and support. You can contact them on 02920 4800593 (S. Wales), 01248 671137 (N.Wales) or on the internet [www.alzheimers.org.uk](http://www.alzheimers.org.uk)

Your local **Community Health Council (CHC)** can provide advice and support with making a complaint. Contact details for your local CHC can be obtained via your local telephone directory or via the **Board of Community Health Councils in Wales'** website at [www.patienthelp.wales.nhs.uk](http://www.patienthelp.wales.nhs.uk) or their helpline on 0845 6447814.

Details of your local **Health Board** can be found at [www.wales.nhs.uk/directory.cfm](http://www.wales.nhs.uk/directory.cfm)

The Ombudsman is independent and impartial; he cannot order public bodies to do what he recommends – but, in practice, they almost always do.

Examples of cases that the Ombudsman has looked at can be found on our website. Please see [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)

**If you are unsure whether the Ombudsman would be able to look into your complaint, please contact us:**

- **phone** 0845 601 0987;
- **e-mail** [ask@ombudsman-wales.org.uk](mailto:ask@ombudsman-wales.org.uk);
- **visit the website at** [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk);
- **write to:** The Public Services Ombudsman for Wales  
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ