



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Oifig an Cheannaire Oibríochtaí,
Na Seirbhísí Míchumais/An Rannán Cúram Sóisialta,
31-33 Sráid Chaitríona, Luimneach.

Office of the Head of Operations,
Disability Services/Community Operations,
31-33 Catherine Street, Limerick.

T: 00353 (0) 61 483369
Suíomh Gréasáin/Website: <http://www.hse.ie>

6th April 2021

Deputy Claire Kerrane,
Dail Eireann,
Leinster House, Kildare Street,
Dublin 2.
e-mail: claire.kerrane@oireachtas.ie

Dear Deputy Kerrane,

The Health Service Executive has been requested to reply directly to you in the context of the following parliamentary questions, which were submitted to this department for response.

PQ 15647/21

To ask the Minister for Health his views on the new payment system put in place for long stay charges in residential homes run by an organisation (details supplied) in 2017; the reason these payment rates have almost doubled; the reason the payments vary depending on a nurse being on duty in cases in which the nurse is already paid for being on duty; the reason for the cost; the purpose for which the cost is used; the areas to which the costs are directed; and if he will make a statement on the matter.

Details supplied; Brothers of Charity

PQ 15648/21

To ask the Minister for Health if his attention has been drawn to families struggling to cover the cost of long stay charges in residential homes run by an organisation (details supplied) since costs were increased in 2017; and if he will make a statement on the matter.

Details supplied; Brothers of Charity

HSE Response

The HSE confirms that Brothers of Charity Services collect Residential Support Services Maintenance and Accommodation Contributions (RSSMAC) contributions in accordance with legislation.

On 1 January 2017, "long stay contributions" under sections 67A to 67D of the Health Act 1970 and the Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016 replaced the system of long stay charges for in-patient services, which was in place from July 2005 until 31 December 2016 under the now-repealed section 53 of that Act.

Long stay contributions apply to all forms of residential support services, other than acute in-patient services and nursing home services provided to those supported under the Nursing Homes Support Scheme (Fair Deal).

In line with the previous long stay charges system:

- Long stay contributions apply to the maintenance and accommodation elements only of services which are provided by the HSE or by agencies funded to provide services on behalf of the HSE under section 38 of the Health Act 2004.

- Contributions become payable when a person has already received at least 30 days of such services during the immediately preceding 12-month period. Accordingly, many episodes of respite care would not result in a requirement to make a long stay contribution towards maintenance and accommodation costs.

The Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016 provide for three different schedules of income-based long stay contributions towards accommodation and maintenance costs in three accommodation categories:

- Category A refers to accommodation where full-time (24 hour) nursing and/or medical care is provided, subject to a maximum of €25 daily (€175 per week) for a person whose income is €208 per week or more.
- Category B relates to contributions payable by those in accommodation where part-time nursing and/or medical care is provided and is subject to a maximum of €18.57 daily (€130 per week) for a person whose income is €194 per week or more.
- Category C relates to all other non-nursing settings (such as independent living settings), subject to a maximum of €10 daily (€70 per week) for a person whose income is €188 per week or more.

Affordability and the avoidance of financial hardship are built-in features of the long stay contributions provisions. In all three accommodation categories, the contribution rate schedules are sliding scales, with proportionally lower contribution rates applying to those on lower incomes.

Additionally, section 67D of the Health Act 1970 provides that the HSE may reduce or waive a contribution where appropriate, in order to: avoid undue financial hardship on the part of the service user and/or on the part of the service user's dependants, advance a service user's identified needs (e.g. care plan objectives), or take account of separate contributions (if any) made by a service user towards his or her maintenance or accommodation costs.

To assist in the fair application of the framework, the HSE has published national guidelines for the correct determination of long stay contributions and comprehensive waiver guidelines (approved by the Ministers for Health and Public Expenditure and Reform) on the individual circumstances where such contributions may need to be reduced or waived.

The guidelines specify that service providers must have regard to the individual circumstances of each service user and his or her dependants. The guidelines ensure that the applicable contribution may be reduced or waived where appropriate, taking account of each person's income and necessary outgoings, including reasonable regular financial commitments, with a view to ensuring there is no unfair burden on the service user or on his or her dependants.

The features of the long stay contributions framework ensure that it is reasonable and fair and that each service user's contributions are based on what he or she can afford, taking account of the service user's individual circumstances.

Please see the following weblink for further information:

<https://www.hse.ie/eng/services/news/newsfeatures/longstaycontributions/short-guide-to-long-stay-contributions.pdf>

To assist, I also attach copies of the latest documents re RSSMACS that were uploaded to HSE website (no changes in 2020 or 2021 as there was no increase in Budget).

Yours sincerely,



Dr. Cathal Morgan,
Head of Operations - Disability Services,
Community Operations