



Oifig an Stiúrthóir Cúnta Náisiúnta,
Foireann Míchumais Náisiúnta,
An Chéad Urlár - Oifigí 13, 14, 15,
Áras Phlásóg na Rós, Coimpléasc Gnó na hOllscoile,
Páirc Náisiúnta Teicneolaíochta,
Caladh an Treoigh,
Luimneach.

Office of the Assistant National Director,
National Disability Team,
First Floor- Offices 13, 14, 15,
Roselawn House, University Business Complex,
National Technology Park,
Castletroy,
Limerick.

25th June 2024

Deputy Pádraig O'Sullivan,
Dail Eireann,
Leinster House,
Kildare Street,
Dublin 2.
E-mail: padraig.osullivan@oireachtas.ie

Dear Deputy O'Sullivan,

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

PQ: 26000/24

To ask the Minister for Children; Equality; Disability; Integration and Youth the engagement he has had with the HSE regarding the need to source private contractors following the recent announcement that the Government will finance an AON initiative; how soon he expects an impact will be made on the waitlist; if he is confident that progress can be made to clear the backlog; and if he will make a statement on the matter.

HSE Response

The Assessment of Need process is set out in the [Disability Act, 2005](#). The aim of an Assessment of Need under the Disability Act is to identify whether a person has a disability, the nature and extent of the disability, any health and education needs arising from that disability, as well as what services are required to meet those needs.

The judgement of Ms Justice S Phelan in the case of CTM & JA v the HSE was delivered in March 2022. This judgment found that the Preliminary Team Assessment approach described in the HSE's Standard Operating Procedure for Assessment of Need does not meet the requirements of the Disability Act. This judgement in effect requires the HSE to deliver diagnostic assessments where necessary and appropriate as part of the Assessment of Need process. This ruling has had a significant impact operationally and has resulted in a growth in the numbers of overdue Assessments of Need. The requirement for services to prioritise the statutory Assessment of Need process has also impacted significantly on their capacity to provide necessary intervention / treatment for children with disabilities.

As a result of the Judgement, activity indicates that there has been an increase in the total number of applications 'overdue for completion', which now stands at 9,924 (including 369 applications for which an extended time-frame was negotiated with the parent on the grounds of there being exceptional circumstances as provided for in paragraph 10 of the regulations).



Overall, it is estimated that there are approximately 15,000 applications 'overdue for completion' at this time. This includes AONs currently overdue and Preliminary Team Assessments that now require diagnostic assessment.

In addition, an estimated 8,000 new AONs are anticipated during 2024 based on the number of AONs received over in 2023.

Actions to address AON waiting lists

The HSE's National Clinical Programme for People with Disability (NCPDP) led the process of developing a revised AON Standard Operating Procedure (SOP) incorporating guidance on completion of clinical assessment to replace the element of the SOP which was found to be non-compliant with the Disability Act (2005) – the Preliminary Team Assessment. This was launched in July 2023.

Additional funding

Approximately €10.5m was spent in 2023 to address waiting lists for clinical assessments identified through the Assessment of Need process and in 2024, an additional €5m in one off funding has been allocated. This funding is being utilised to procure diagnostic ASD assessments from the private sector. The HSE at local level is also using time related savings to source AON assessments privately for children in the order as registered on the AOS (AON information management system) in line with the date of receipt of a completed AON application.

Targeted Initiative focussed on long waiting families

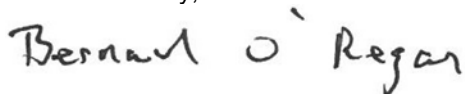
A new targeted waiting list initiative is in place and the Government has allocated funding of €6.89 million to facilitate the HSE to procure up to 2,500 additional AONs, with delivery targeted over the next 6 months. This funding is in addition to existing HSE core funding of the €5m mentioned above, allocated for procurement of private assessments.

This waiting list initiative will target those families waiting longest for AONs, with the HSE reimbursing clinicians directly through the procurement of capacity from approved private providers. This provides a more equitable and fair approach rather than reimbursement of parents directly.

Funding has been allocated to each CHO area for the provision of Assessment of Need.

It is envisaged that this initiative will be progressed through the existing framework of providers procured by each CHO Area, while also seeking to expand the list with any new private provision.

Yours Sincerely,



Bernard O'Regan
Assistant National Director
National Disability Team

