



Who will pay for my care?



11 April 2011 to 9 April 2012

For individuals whose care needs are funded through NHS Continuing Health Care

At present, NHS Medway (Primary Care Trust) pays for your care as you currently meet the Continuing Health Care criteria. Should your health improve and you no longer meet this criterion, you will be referred to Medway Council's Adult Social Care Department.

When/if this happens, you will be allocated a Care Manager who will visit you, with an assessor from NHS Medway, to assess your on going needs.

Once both authorities (Medway Council and NHS Medway) agree that your needs are no longer within those eligible for NHS Continuing Healthcare, the Care Manager will refer your case to the Financial Assessment Team who will carry out a means tested financial assessment. This is to establish the level of payment you would be required to make towards your placement in accordance with Part III of the National Assistance Act 1948 (Section 22).

The financial assessment would involve:

- Meeting with you and or your representative to gather your financial details
- Maximise your income, where necessary, by claiming state benefits
- Calculating your weekly contribution based on your income/capital/assets
- Discuss payment options

If it is established during your financial assessment that you do not have enough weekly income to pay for the full weekly fees or have other assets/savings sufficient for you to pay the home direct, known as self-funding, Medway Council may assist you with funding towards your placement, although you will be assessed to determine your ability to contribute to the cost of your care.

Third Party Top Ups

A third party contribution is required when an individual is resident in a home where the weekly price is more than Medway Council are willing to pay for their care. The amount Medway Council will pay for an individual's placement is determined by which band they are assessed to be in, based on their care needs.

The difference between the contracted weekly fee and the maximum price Medway Council will pay, would need to be met by a third party. This can be made by anyone other than that individual. This is known as a Third Party Top Up. Alternatively you could ask to be moved to a cheaper home.

Please see table below showing the current Medway Council weekly band prices for 2011/2012:

Band 1 (residential)	£285.53	With OPMHN*	£384.32
Band 2 (residential)	£320.99	With OPMHN	£420.48
Band 3 (residential)	£356.44	With OPMHN	£456.64
Band 4 (nursing)	£548.95		
Band 4 (nursing + OPMHN)	£648.63		

Please note that an amount to be funded by the NHS Funded Nursing Care of £108.70 per week is included in the Band 4 price stated above.

*OPMHN – Older Person with Mental Health Needs.

Please see the table on the next page that gives an indication of Top Up rates. Please note that Third Party Top Up rates are subject to change. For up to date rates, please contact the Social Care Contracts Administration Team on 01634 333322.

Provider		Payable top Ups
Acorn House		Up to £134.01
Agape House		Up to £119.01
Amherst Court		Up to £151.92
Amicus Care Home		Flat rate of £37.54
Ampersand House		Up to £234.01
Aquarius		No top up payable
Berengrove Park Nursing Home		Up to £48.44
Byron Lodge Residential Nursing		Up to £39.00
Cherryacre Residential Home		Flat rate of £68.99
Chimnies Residential Care Home		Flat rate of £13.00
Clairmont Residential Home		Up to £47.35
Copper Beeches		No top up payable
Durland House		Up to £34.01
Fontenay Nursing Home		No top up payable
Fort Horsted Nursing Home		Up to £39.00
Frindsbury Hall Nursing Home		Up to £20.00
Friston House Nursing Home		Up to £78.44
Grace Manor Nursing Home		Up to £35.00
Grafton Lodge		Up to £57.09
Greenford Retirement Home		No top up payable
Hawthorn Manor		Flat rate of £103.25
Heather Dale Nursing Home		Up to £25.45
Holly Lodge		Up to £50.00
Jeannette Lodge		No top up payable
Newington Court Nursing Home		Up to £49.78
Northmore Residential Care Ltd		Flat rate of £10.00
Pembroke House		Up to £173.44
Rogers House		Flat rate of £136.00
Sherwood House Care Centre		No top up payable
The Grange Residential Home		Flat rate of £50.00
The White House		Up to £93.00
Valley View Residential Nursing		Up to £45.00
Winchester House		Up to £49.78
Yew Tree		Up to £55.35

Capital

If you have capital assets over £23,250.00, which is the capital limit set by the Department of Health you will 'self-fund'. This means that you will be responsible for paying the full fees to the home direct. You will need to contact the home at this time to confirm the amount payable and where necessary negotiate the weekly price.

Please note that if your care is being delivered in a registered nursing care home, the local Primary care Trust will continue to support your nursing needs, under NHS Funded Nursing Care. This amount is currently £108.70 per week (2011/12) and is set by the Department of Health.

Property

If you own a property that is worth in excess of the capital limit set by the Department of Health, currently £23,250 for 2011/2012, and you have been resident in the nursing home for longer than 12 weeks, the value of your property will be taken into account. However, in certain circumstances we can ignore the value of your home if at the time you went into residential care:

- a partner lived in the house with you (this means your husband, wife or somebody you lived with as husband or wife);
- a relative who is 60 or over lived in the house and continues to reside there;
- a relative who is disabled (meaning anyone who is in receipt of a Disability Benefit) lived in the house and continues to reside there,
- a child under 16 whom you have responsibility to maintain lived in the house and continues to reside there

If at any time they move out of your property the situation will be reviewed.

Consideration may be given to anyone else who would remain in the property, for example your former carer or an older person who is not your relative left living in the house.

If the value of your home is taken into account, you would be liable for the full cost of your nursing care, less NHS Funded Nursing Care payments, from the date Adult Social Care agree to assist you with funding.

Medway Council will pay the full contracted price to the provider, in advance of you receiving care. Medway Council's Adult Social Care will then invoice you every four weeks for the full contracted price to be paid. However, as you may not have sufficient income/assets to pay the full amount, you would be assessed to pay a contribution. This amount is calculated when your financial assessment is completed and the difference between the full contracted price and your weekly contribution will be deferred until you sell your house.

Deferred Payments Agreement

Our Deferred Payments Agreement is in effect a loan from Medway Council to cover your Nursing Home fees, until your property is sold or when you leave nursing care.

We will place a legal charge on your property, which will allow us to recover our costs when your home is sold or when you leave nursing care.

The Council will not charge interest while payments are being deferred, although reasonable interest will be charged after 56 days after leaving the deferred payment scheme i.e. your property is sold or your leaving nursing home.

Until your property is sold, you would be required to pay a contribution from your weekly income and capital to pay off some of the charges.

If you choose to enter into The Deferred Payment Agreement scheme, an agreement will be put in writing and signed by yourself and the Council and a copy will be given to you for your records.

If you decide to take advantage of our Deferred Payments scheme, you are strongly advised to seek independent financial advice before arrangements are finalised. Also if your property is to remain empty for any period, you will need to look into issues of security, insurance and maintenance.

Renting your home whilst under Deferred Payments

If you rent out your home while under the deferred payments scheme, it is advisable to use some of this rental income towards the cost of your nursing care. This means that the council's contribution will be less and you/your estate will not have as much to pay back to us at the end of the agreement.

However, you need to remember that the rental income, together with any other income you receive (such as your State Retirement Pension, Occupational Pension any other state benefits) may give you enough money to pay all of the cost of the care home fees.

Deferred Payments criteria

Our Deferred Payments criteria are:

- You must not have savings over £23,250, other than the value of your home.
- You must have beneficial interest in the property
- That your property is worth enough to meet the criteria to fund the cost of your care – in 2011/12 this means over £23,250
- In order that we can ascertain the current market value of your property, we will require seeing three separate estate agents valuations
- That there is no outstanding mortgage, or the outstanding mortgage will leave sufficient money to meet the criteria to fund the cost of your care.

When you enter into a deferred payments agreement with Medway Council, your placement in the nursing home is between Medway Council and the nursing home provider.

There is no top up due on this account, as you will eventually have paid the full contract price back to Medway Council.

Any agreements that are signed between you and the provider are in addition to the full cost that you will be repaying to Medway Council. This would be a private arrangement between you and the provider and therefore Medway Council does not regulate it. You may wish to seek independent legal advice before entering into such an arrangement.

If you give money or capital away to avoid paying the full cost of your nursing home fees, the assessment of how much you will have to pay may still include the value of these assets that have been given away.

Making Payments directly to the care provider

The council has assessed your ability to pay a contribution for the cost of care. Therefore, you, or third parties contributing to your care, should not make any additional payments directly to the care provider unless the costs are additional to the care package agreed with the council. If you are not sure whether a request for payment should be made to a care provider then please contact your Care Manager or the Children and Adult Services Team.

Contacts

For further information on Adult Social Care or to obtain a copy of Medway Council's Care and Support Handbook for Older People, Adults with Disabilities and Carers, please contact the Access and Information Team on:

Telephone: 01634 334466
Text Relay: 18001 01634 334466
Email: ss.accessandinfo@medway.gov.uk
Internet: www.medway.gov.uk
Write to: Children and Adults Services Team
Customer First
Gun Wharf
Dock Road
Chatham
Kent ME4 4TR

For further advice on financial assessments, please contact the Financial Assessment Team on:

Telephone: 01634 333131
Email: fao1@medway.gov.uk
Internet: www.medway.gov.uk
Write: Children and Adults Directorate
Client Financial Services
Gun Wharf
Dock Road
Chatham
Kent ME4 4TR