



## **Submission to the review of the Fair Deal Scheme**

**July 2012**

### **Introduction**

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The Irish Heart Foundation (IHF) welcomes the opportunity to input into the review of the Fair Deal Nursing Home Support Scheme. The Irish Heart Foundation is the national charity supporting people with heart, stroke and blood vessel disease. The Foundation promotes policy changes that reduce premature death and disability from cardiovascular disease and advocates for better patient treatment and services.

The IHF recognises that the development of the Fair Deal scheme was an important departure towards creating a linear pathway for older people to access nursing home services at a lower level of cost. The current review of the scheme is timely to ensure that the scheme can be improved to even better meet the requirements of older people requiring support.

### **General comments**

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Without access to a comprehensive review of the Fair Deal scheme from the Department, it is difficult for the IHF to assess the scheme in its totality. A full report of the operation of the scheme to date would be greatly beneficial to future planning. A commitment should now be given to publish an annual review of the Fair Deal scheme, including reports of the experiences of people availing of the scheme.

The IHF would like to raise a number of key issues which we believe should be considered by the Department at this time. These issues are raised in the context of demographic projections which indicate that Ireland will experience a large increase in the number of older people and in the number of people living with cardiovascular diseases, many of whom may require the support of the Fair Deal scheme in the future.

Improvements in health outcomes and treatments in Ireland mean that people will be enjoying increased health life years as they age and continuing to live in their communities. Increasing life expectancy will also mean there will be a rise in very old people (85 years plus) living with chronic conditions.

As reported by the ESRI in 2009<sup>1</sup>, the future growth in the number of older and the so-called 'older old' people will be considerable. Projections to 2021 indicate a doubling of those aged 85 years and over from 48,000 to nearly 106,000 and those aged 74-84 years increasing by over half from 157,000 to 248,000. In relation to coronary heart disease

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<sup>1</sup> Layte, R. (editor) *et al.* (2009) 'Projecting the impact of demographic change on the demand for the delivery of health care in Ireland. Dublin: ESRI.

(CHD), the Institute of Public Health<sup>2</sup> has estimated that by 2020 the number of adults with clinically diagnosed CHD will have risen to more than 103,000. This represents a 31% increase (an additional 24,000 adults) in ten years. Approximately one quarter of this increase is due to increases in the size of the population and three-quarters is due to population ageing (including the increases in risk factor levels associated with ageing). Research carried out by the ESRI and the RCSI for the Irish Heart Foundation<sup>3</sup> indicates that the number of stroke cases in Ireland could increase by more than 50 per cent by 2021 resulting in an increase of 50% in the cost of stroke to the economy (the current cost burden could exceed €1 billion).

### **Key issues raised in this submission**

1. The scheme should be properly resourced to meet demand. The funding crisis which occurred in the scheme in 2011 cannot be repeated.
2. The Fair Deal scheme should be reconstituted to ensure that financial assistance is also available for older people who wish to remain living in their own homes with support.
3. Residents in nursing homes and older people living in the community should have access to rehabilitation services.
4. The scheme must provide for all applicants, including older people with high support needs.

### **1. The scheme should be properly resourced to meet demand. The funding crisis which occurred in the scheme in 2011 cannot be repeated.**

The Fair Deal Scheme is budget-capped and does not confer an entitlement to financial support for nursing home care. The review of the Fair Deal scheme must provide clarity about future funding to ensure that resources are sufficient to meet the level of service required by people eligible for the scheme. We cannot have a repeat of the situation which occurred in 2011 when the Fair Deal scheme was closed to applicants for a considerable period due to a lack of resources. A sole emphasis on fiscal concerns during this period led to a reduction in the number of public nursing homes and a cutting on the availability of homecare packages.<sup>4</sup>

Currently, it appears that the scheme does not have sufficient funds to meet the needs of applicants. In 2011, only 75% of applications for the Fair Deal scheme were approved, compared with 100% in 2010.<sup>5</sup> Reports from older people also indicate that long waiting

<sup>2</sup> Institute of Public Health (2012) *Coronary Heart Disease Briefing*.

[http://www.publichealth.ie/sites/default/files/documents/files/CHD\\_Briefing\\_26\\_Jun\\_2012.pdf](http://www.publichealth.ie/sites/default/files/documents/files/CHD_Briefing_26_Jun_2012.pdf)

<sup>3</sup> ESRI and RCSI (2010) *Cost of Stroke in Ireland: estimating the annual economic cost of stroke and transient ischaemic attack (TIA) in Ireland*. Dublin: Irish Heart Foundation.

<sup>4</sup> *The Irish Times*, 1<sup>st</sup> November 2011, 'Facing a crisis of care'.

<sup>5</sup> *The Irish Times*, 26<sup>th</sup> June 2012, 'Big fall in number approved for Fair Deal'.

times for approval under the scheme are a cause of financial and emotional concern for patients and their families.

The Irish Heart Foundation believes that the issues arising in relation to eligibility for the Fair Deal (as with other health schemes) lies in the wider failure of successive governments to introduce a statutory framework setting out clear rules on eligibility for health services. The absence of eligibility criteria leads to incoherency in the performance of the HSE's obligations to citizens and to a lack of transparency in decision-making for the allocation of resources. Current access to health and social care services, such as the Fair Deal scheme, is based on opaque eligibility criteria which are complex, inconsistent and difficult to understand. Ongoing threats to funding for home helps and respite care, combined with limited year-on-year budgets for housing adaptations and Home Care Packages, indicate the need to develop legislative entitlements to health and social care services.

The 2012 Seanad report on the rights of older people<sup>6</sup> recommended that: 'clarity of available entitlements for older people is made a priority and that those entitlements should be given a statutory footing'. The IHF calls on the government to ensure that the basis of citizen entitlement to services, such as rehabilitation, long-term care, home help and respite care is clearly outlined and underpinned by legislation.

## **2. The Fair Deal scheme should be reconstituted to ensure that financial assistance is also available for older people who wish to remain living in their own homes with support.**

Research and consultation with older people indicates that the majority of older people in Ireland wish to remain living at home for as long as possible<sup>7</sup>. The review of the Fair Deal scheme must consider whether the operation of the scheme is leading to perverse incentives, where those older people who could live at home with support, are forced into nursing home care because funding is only available for this form of care.

The establishment of the Fair Deal scheme, while necessary for those wishing or requiring nursing home care, has led to a prioritization of institutional care over home and community care of older people. The funding provided to older people clearly prioritises nursing home care. In 2011, the HSE was spending €1 billion on the Fair Deal scheme, €138 million on homecare packages and €211 million on home help services. 2011 saw cuts in the numbers of home helps employed and the hours of help received by individuals.<sup>8</sup>

There is a duty on the State to provide care to older people at all stages of the continuum of care, which incorporates self-care, community care, long-term residential care and end-of-life care. One of the consequences of the Fair Deal scheme, in the absence of a similar support scheme for people to remain living at home with community supports, has been to encourage large numbers of older people to move into nursing home care. The review of the scheme should ensure that care which supports people to stay at home is integrated into future health care planning and reform.

There is no statutory entitlement to home care and community care services. As a result access is discretionary and unequal across the country. The absence of a right to an assessment of need and an independent review of the outcomes of that assessment is a

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<sup>6</sup> P. 7, Seanad Public Consultation Committee (March 2012) *Report on the Rights of Older People*. Available at: <http://www.tcd.ie/tilda/assets/pdf/Seanad%20Report.pdf>

<sup>7</sup> For example, see Older and Bolder (2009) *What does positive ageing mean to older people?*. Dublin: Older and Bolder.

<sup>8</sup> *The Irish Times*, 1<sup>st</sup> November 2011, 'Facing a crisis of care'.

significant gap in Irish legislation and limits the ability of older people (and other health service users) to gain access the services they require. As reported by the NESF<sup>9</sup> in 2005, community care for older people is extremely underdeveloped. The longitudinal review of ageing in Ireland<sup>10</sup> indicates that just 3.5% of people over 50 years of age received state provided home help services.

An audit of community care services is now required so that we can map the services that are available, identify the deficits, plan effectively for the future and introduce greater transparency into an opaque system. The Seanad report<sup>11</sup> on the rights of older people recommended the use of an existing HSE system, HealthStat, to conduct an audit of community care services for older people. If the Minister were to commit to such an audit, the findings could inform the forthcoming review of the Fair Deal scheme and ensure that the needs for community care are properly accounted for in that review. Ultimately, an improvement in community care services could reduce premature admissions to nursing homes and unnecessary stays in acute hospitals.

### **3. Residents in nursing homes and older people living in the community should have access to rehabilitation services.**

Residents in nursing home do not have adequate access to the rehabilitation therapies which they require. This lack of access to therapies in nursing homes was particularly highlighted in the Ombudsman's report on nursing home care in 2009<sup>12</sup>.

It is conservatively estimated that at least 1 in 6 Irish nursing home residents are residents with a stroke.<sup>13</sup> After a sudden onset condition – such as stroke – access to rehabilitation can improve people's outcomes and enable them to adjust to any ongoing disabilities so that they can be as independent as possible. The provision of rehabilitation can also reduce length of stay in specialist rehabilitation hospitals, cut down on readmissions, reduce disability and improve patient's functionality and quality of life.

In 2010, the IHF's 'Cost of Stroke in Ireland' research<sup>14</sup> showed that the direct cost of stroke to the economy is up to €557 million per annum. Of this as much as €414 million – or almost 80% - is being spent on nursing home accommodation and less than €7 million is being spent community-based rehabilitation. With access to rehabilitation, supported discharge and home care supports, many more people would continue to live fulfilling lives after a stroke. The lack of access to rehabilitation is a major quality of life issue for stroke survivors and their families but it also represents significant cost to the State in potentially unnecessary nursing home and hospital care. The review of the Fair Deal scheme must address the lack of access for residents in nursing homes to rehabilitation supports.

The IHF welcomes the Minister's recent announcement that he plans to develop intermediate care for older people to ensure they do not enter nursing home care earlier than necessary. These intermediate care facilities would also provide rehabilitation services

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<sup>9</sup> NESF (2005) *Care for Older People*. Dublin: NESF.

<sup>10</sup> Barrett, A., Savva, T., Timonen, V., and Kenny, R.A. (eds.) (2011) *Fifty plus in Ireland – first results from the longitudinal study on ageing (TILDA)*. Dublin: TILDA.

<sup>11</sup> Seanad Public Consultation Committee (March 2012) *Report on the Rights of Older People*.

<sup>12</sup> Office of the Ombudsman of Ireland (2009) *Who cares? An investigation into the right to nursing home care in Ireland*. <http://www.ombudsman.gov.ie/en/Reports/InvestigationReports/9November2010WhoCaresAnInvestigationintotheRighttoNursingHomeCareinIreland/Name,12955,en.htm>

<sup>13</sup> Based on a national survey of 60 nursing homes. Cowman et al. *BMC Geriatrics* 2010, 10:4, 'Stroke and Nursing Home care: a national survey of nursing homes'.

<sup>14</sup> See: <http://www.stroke.ie/iopen24/cost-stroke-report-t-788.html>

and a full assessment leading to the person returning home or to a nursing home.<sup>15</sup> The development of these intermediate care services should now be urgently prioritised.

**4. The scheme must provide for all applicants, including older people with high support needs.**

The Fair Deal scheme must provide care for all those requiring residential care. The IHF is aware of anecdotal reports that some patients with high support needs are not being accepted under the scheme by some private nursing home providers, i.e. a cherry-picking of residents with lower support needs may be in operation. As a result some patients are remaining in unsuitable acute hospital accommodation for lengthy periods.

**Conclusion**

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The Irish Heart Foundation is pleased to present these issues for inclusion in the review process and would be happy to provide any additional information if required.

**Contact details**

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<sup>15</sup> Reported in *The Irish Times*, 17<sup>th</sup> April 2012, 'Minister reveals intermediate care plan for elderly'.