

A shot in the arm for continuing care eligibility

Finally, recognition that eligibility has to be based on health needs alone and not used to fix NHS overspending

A recent [report from NHS Devon](#), which resulted from an investigation into the county's continuing care eligibility assessment practices, has reconfirmed the correct practice of basing a patient's eligibility for continuing care funding on their health needs alone. Cheselden welcomes this report as we have become increasingly concerned by reports from both our clients and the media that NHS Trusts are taking their own or their patients' financial circumstances into account when deciding whether to award funding. The NHS Devon investigation was ordered by South West SHA after the NHS Devon, which was experiencing budgetary problems, reviewed a large number of continuing care cases and decided to withdraw funding from more than 70 patients. The patients' families, who considered that the funding had been withdrawn purely for financial reasons, involved the local media in their campaign to reinstate continuing care for their relatives – forcing the SHA to suspend the review process and launch its investigation.

'We recognise that NHS Trusts are under increasing financial pressure,' comments Cheselden's Managing Director Colin Ball. 'But NHS Devon did not follow best practice when reviewing patients' cases for continuing care funding earlier this year. The SHA's report describes the review process as

"...an operational priority...to quickly address the growing financial overspend, rather than a balanced approach between meeting the individual needs of patients and effective use of resources. From the outset there was no consultation with the public or organisations representing the interests of patients and relatives"

This approach goes against the guidance contained in the National Framework for Continuing Care and NHS Funding Care, which all NHS Trusts are now obliged to follow. The guidance clearly states that a patient's health needs are the sole criteria which should be examined when considering eligibility for funding. The Framework also strongly recommends that patients and their relatives or carers should be involved in the assessment process wherever possible. It is gratifying to see that the SHA's report recognises the failure of NHS Devon to follow the required procedure in continuing care assessments. The report makes a number of sensible recommendations that should enable NHS Devon to offer an improved standard of continuing care assessment practices in future and we look forward to these being implemented.'