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TX: 20.02.03 ELDERLY AND DISABLED PEOPLE HAVE BEEN UNFAIRLY CHARGED FOR LONG TERM CARE, SAYS NHS OMBUDSMAN

PRESENTERS: LIZ BARCLAY AND DIANA MADILL

MADILL

Now worrying evidence has landed on the Government's desk showing elderly and disabled people have been unfairly charged for long-term care by their health authorities. It'll not be what the Government wants to hear, it had an uphill task pushing through the controversial legislation in England, which intended that personal care should be paid for but nursing care would be free. The findings today, by the health service ombudsman, Ann Abraham, will add fuel to the protestors' fire. She concluded that people's complaints were largely justified and that health authorities were misinterpreting and misapplying Department of Health guidelines. Her fear is that the injustice goes well beyond the number of cases already on her desk.

Well joining us now is Pauline Thomson who's policy officer from Age Concern. How widespread eeds and the

at
they're going into a nursing home is primarily because they've got such severe health needs.

MADILL

So what's going wrong here - is it the mechanism of appeal or is it the guidelines in the first place and the way that they're being interpreted?

THOMSON

I think this could be described as being one of the greyist of all grey areas of policy. It is so complicated to try and work out. Since we've had free nursing care in England we have three bands, one at 35, one at 70 and one at £110, it is incredibly difficult, looking at the criteria, to see how somebody who needs £110 worth of nursing is any different from somebody who might need fully funded NHS care. And so what we're worried about and we've always said this in our fact sheets that if somebody is placed on the £110 band then they should seriously discuss whether or not they shouldn't also really qualify for the NHS to fund the full cost of the care.

MADILL

Well whose shoulders does this onus fall on - who has to sort out which criteria you're in, how much is the elderly and disabled person put in a situation where they have to fight their own corner?

THOMSON

