

Agenda Item:

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# Dorset Health Scrutiny Committee

**Dorset County Council**



Date of Meeting	19 November 2013
Officer	Director for Adult and Community Services
<b>Subject of Report</b>	<b>Continuing Health Care Update</b>
Executive Summary	A report on Continuing Health Care (CHC) was previously considered by the Committee on 12 April 2010. The attached paper has been prepared to update the Committee on matters relating to Continuing Health Care in Dorset. The paper defines what Continuing Health Care is, provides details on the number of CHC applications in Dorset, highlights the Clinical Commissioning Group spend on CHC over the last 7 years and describes the joint working approach to Continuing Health Care in Dorset. Reference is made to Personal Health Budgets and the local challenge to complete the nationally directed work concerning “previously unassessed periods of care” is also included.
Impact Assessment:	Equalities Impact Assessment:  Not applicable – this is an update report.
	Use of Evidence:  Evidence provided within the report has been provided by robust Clinical Commissioning Group reporting systems.

	<p><b>Budget:</b></p> <p>Decisions about Continuing Healthcare Eligibility are based upon need not finance. However, where the line is drawn between someone having a Primary Health Need (Continuing Health Care) and someone being funded by the County Council is important as there is a financial impact for whichever organisation accepts responsibility for the individual.</p> <hr/> <p><b>Risk Assessment:</b></p> <p>There are a number of risks to the County Council regarding Continuing Health Care.</p> <p>Firstly, there is a legal risk. There is an upper limit of the quantity and quality of care that the County Council can provide and there is a risk of acting <i>ultra vires</i> should the County Council fund someone whose needs place them above this upper limit.</p> <p>Associated with this are the financial implications of the County Council funding the care for individuals whose care should be funded by the NHS.</p> <p>Finally, there is a risk of having to compensate individuals for any charges that have been paid to the County Council if, upon appeal, the person has retrospective Continuing Health Care eligibility.</p> <hr/> <p><b>Other Implications:</b> None.</p>
<p><b>Recommendation</b></p>	<p>The Committee notes and comments on this report.</p>
<p><b>Reason for Recommendation</b></p>	<p>The paper concerns the County Council's corporate aim of protecting and enriching the health and well being of Dorset's most vulnerable adults.</p>
<p><b>Appendices</b></p>	<p>1 – Continuing Health Care Health Scrutiny Report November 2013</p>
<p><b>Background Papers</b></p>	<p>NHS Continuing Health Care Funding, 12 April 2010</p>
<p><b>Report Originator and Contact</b></p>	<p>This is a Joint Report prepared by Nita Hughes at Dorset Clinical Commissioning Group and Paul Morgan, Dorset County Council</p> <p>Name: Paul Morgan          Tel: 01305 224101          Email: p.morgan@dorsetcc.gov.uk</p>