

STATES OF JERSEY



DRAFT LONG-TERM CARE (JERSEY) LAW 201- (P.108/2011): AMENDMENT

**Lodged au Greffe on 7th July 2011
by the Minister for Social Security**

STATES GREFFE

PAGE 18, ARTICLE 3 –

In paragraph (3)(3) –

- (a) after sub-paragraph (a)(iv) delete the word “and”;
- (b) after sub-paragraph (b) add the word “and” and the following sub-paragraph –
 - “ (c) shall not, in specifying a person’s means for the purposes of sub-paragraph (a)(ii), specify any means of such description as the States may specify in Regulations.”.

MINISTER FOR SOCIAL SECURITY

REPORT

This amendment reflects the Minister for Social Security's desire to set by Regulation the level of assets to be disregarded within the means test for long-term care funding. He recognises that this is an important issue on which States Members hold strong views and therefore should properly be decided by Members.

As stated in the Report that forms part of P.108/2011 –

'A condition of accessing the [long-term care] benefit is that the individual commits to pay their contribution to the fee levied by the care provider that relates to their day-to-day living costs – the co-payment. When added to the long-term care benefit, it will cover the total cost of a place in a care home. If someone is unable to pay the full co-payment, then they will be able to access means-tested help after a financial assessment that will take into account their income and assets and those of their partner.' (Italics added for emphasis.)

With the long-term care benefit meeting much of the cost of long-term care, the amount that individuals requiring care are expected to contribute themselves to the care fees will be much reduced. The new financing arrangements will remove much of the financial uncertainty and worry that many people currently face as they or a close family member moves into care.

Many people will be able to meet the co-payment from their pension and other income. This will alleviate the situation that can arise under current funding arrangements where, in having to fund the full cost of care on their own account, some Jersey families are faced with the prospect of have to use up all their savings or even sell their home.

Only those who cannot meet the co-payment will be subject to a means test.

In his Report, the Minister indicated that, in his view, family homes worth up to £750,000 should be disregarded from any assessment of assets. Homeowners would also be allowed to hold other capital of up to £25,000 and still be eligible for financial assistance with the co-payment. For non-homeowners, assistance would be provided if their capital and savings were under a total of £100,000.

Subject to the approval of the States Assembly of this amendment, a Regulation setting out the details of these asset disregards will be prepared and lodged for debate in the first half of 2012.

Financial and manpower implications

This amendment in itself does not have any financial and manpower implications, but it does provide for an agreed level of assets to be disregarded from any financial assessment for the purposes of means testing. These decisions may have financial implications in the future.