



Adult Continuing NHS Healthcare 2014

Protocol for Response to Challenges to an Eligibility Decision from Individuals

This protocol applies to continuing NHS healthcare and NHS funded nursing care

1. The Care Co-ordinator must inform the patient or their advocate (relative or carer) of the outcome of an assessment process. In most cases the patient or advocate will be present at the MDT meeting where this will take place. If they are not present then this should be undertaken as soon as possible following the meeting. In any event the MDT recommendation must be followed up by letter.
2. In cases where eligibility is not found then the individual must be informed of their right to request a review of the decision.
3. The initial request for review by the patient or their carer can be made verbally and should be made as soon as reasonably possible of being informed of the decision and in most circumstances within 7 days.
4. Stage one: Peer Review

If the patient remains in a hospital bed then consideration needs to be given to expediting the discharge plan and agreements reached regarding interim funding with the patient or their advocate or the Social Services team.

Peer review can be organised through the Integrated Discharge Service or Locality Team or in the case of Mental Health, via the Move on Team.

Peer review should be followed by a meeting with the patient or advocate where the findings from the peer review are discussed and any outstanding concerns resolved. The Care Co-ordinator and the Peer Reviewer should be present at the meeting.

5. Stage two: Formal Appeal

If the patient or their advocate still wishes to contest the eligibility decision then they complete a Request for Independent Review Form which will be returned to the Locality Office or the Mental Health Clinical Board Office.

A formal process will only be entered into if the patient or advocate is dissatisfied with:

- The procedure followed by the UHB in reaching its decision on eligibility
- or
- The application of the primary health need consideration

6. In addition if the local peer review process indicates that there is an element of doubt or if the individual or their advocate has significant additional information or exceptional circumstances to present then recourse to the IRP process will be granted.
7. Prior to convening a panel the Locality or Mental Health Clinical Board will seek advice of the Independent Chairman of the review panel. If the decision is not to convene a panel, because the conditions set out above do not apply, then a full written explanation of the basis of the decision will be provided with a reminder of rights under the NHS complaints procedure.
8. Arrangements to establish a Standing Independent Review Panel are currently underway in partnership with Aneurin Bevan and Cwm Taf University Health Boards. In the interim the existing IRP arrangements will be used.