



What is NHS Funded Care?

As a lay person without experience or knowledge of the health and social care system, understanding the terminology used to describe forms of NHS funded care can be daunting.

Often it is not until we find ourselves or a loved one requires access to care, support and accommodation to meet health needs arising from an injury, illness or disability, that we have any reason to consider or explore what forms of NHS funded care exist.

Our community care solicitors frequently get asked questions such as what is fully funded NHS care? Who gets NHS funded nursing care? Can NHS funded nursing care be backdated? Nobody told me about fully funded NHS care, is a retrospective application possible?

What is fully funded NHS care?

'Fully funded NHS care' is simply another way of describing NHS Continuing Healthcare.

NHS Continuing Healthcare or 'fully funded NHS care' means an individual has been assessed and identified to present with a 'primary health need' meaning their needs go above and beyond what a Local Authority is lawfully able to provide.

If an adult (aged 18+) has a 'primary health need', it is the NHS' statutory responsibility to ensure any needs identified are met. NHS Continuing Healthcare or 'fully funded NHS care' is non-means tested.

This means any care, support or accommodation required must be provided without a charge.

For more information regarding the eligibility criteria and assessment process used to determine whether an adult presents with a 'primary health need', please [click here](#).

Who gets NHS funded nursing care?

The NHS funded nursing contribution (FNC) is set, weekly rate of £165.56 which is paid directly to a provider to assist with the cost of nursing care where an individual has been assessed not to be eligible for NHS Continuing Healthcare but requires care from a registered nurse and is living in a nursing home.

NHS funded nursing care is not available to those who require residential care only. The weekly rate is subject to change.

Can NHS funded nursing care be backdated?

If you, or a loved one, has paid the full cost of nursing care provision (i.e. nursing care has been self-funded), but you can demonstrate you or your loved one meet the criteria for the FNC, then upon assessment it is perfectly reasonable to request that the Clinical Commissioning Group (CCG) backdates the FNC you should have received.

Is a retrospective application possible?

The answer is yes. Often fully funded NHS care, or NHS Continuing Healthcare is referred to as one of the NHS' best kept secrets or a secret fund. Many are not told that they may be eligible for a NHS funded package of Continuing Healthcare which leaves people frequently self-funding expensive packages of care, support and accommodation.

If you believe your, or a loved one, should have been assessed for NHS Continuing Healthcare, it is possible to request a CCG considers eligibility retrospectively. Sometimes this is referred to as an 'unassessed period of care' or 'uPOC'.

If you have any queries relating to NHS funded care, please contact our [community care law solicitors](#) by telephone on 02380 827483 or by email at communitycare@la-law.com.