

Tara Winthrop Private Clinic – Submission Re: Contracts of care in long-term residential care services for older people

Thank you for affording us the opportunity to make a submission in relation to the above matter. I will just try to make it as short and simple possible.

- There are no such institutions in Ireland named **CARE HOMES**. The correct term for those institutions are **NURSING HOMES**.
- All legislation in relation to Care of the Older Person is under the title of Nursing Homes Legislation, Acts etc., and the reason for this is that they are staffed by qualified BSc or Master Degree nurses.
- In rare cases Nursing Homes employ their own Medical Doctor as well as a high complement of Registered Nurses because their clients are very heavily dependent.
- 95% of our 140 residents cannot sign a Contract for Care, because their advanced condition of health would not allow them to do so. Their Court appointed Care Representative signs on their behalf.

General:

- The Contract for Care is important as it is required by HIQA. It is important to give clients full information concerning our business and to explain their rights. They must sign that they understand everything contained in the contract and can ask for help if required.
- An Information Pack is provided to the Care Representative which contains the contract, our Mission Statement, Complaints Policy, and charges which may occur outside the Nursing Home Support Scheme.
- The Contract for Care which we use has been written for our industry by a firm of solicitors for our governing body - Nursing Homes Ireland. We find it very satisfactory in general but tailor it to our and the client's specific requirements. The Care Reps, are encouraged to read it carefully and to consult their solicitor, prior to signing it. We have a Resident's Advocate who will explain and assist them where required.
- We review our Contract of Care in line with Legislation, Regulations & HIQA requirements.
- We do feel the Contract for Care is very fair and balanced
- Yes, we were aware
- Speaking personally – yes I do.

Other

The majority of older people occupying Nursing Home beds are there for several reasons.

1. They arrive in a nursing home having spent several months or indeed years in an acute hospital setting following a series of serious falls. If the Consultant Geriatrician considers they are fit to go home the hospital will put in a Homecare Package for them
2. If they are unable to look after themselves at home, despite an extensive Homecare Package, they will be recommended for Long-term care because they are suffering from advanced Dementia and possibly with up to fifteen co-morbidities.

3. Sometimes, people are so neglected when they arrive in a nursing home, having been living on their own at home that it is very difficult for us to understand how people who are not clinicians could deem them to have “capacity”.
4. I think this needs to be understood by legislators and others who think they are doing good.