

NHS accused of 'cynical betrayal' over care for dementia victim

Grandmother, 83, fails to receive full cost of her needs in 'postcode lottery'

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NHS chiefs have been accused of a "cynical betrayal" for refusing to pay for the care of an 83-year-old grandmother with advanced dementia.

Sheila Fox has suffered with Alzheimer's disease for five years and is now completely dependent for round-the-clock care on staff at a nursing home in Leeds. But her family are furious bosses at the NHS Leeds primary care trust (PCT) are refusing to fund the full costs of her nursing care.

They say they have been told she does not qualify because assessors have found she shows no visible signs of distress even though her condition is so advanced her mental condition is impossible to evaluate.

Her MP Labour's Fabian Hamilton, who has intervened on her behalf, said it was the case it was a "cynical betrayal" of Mrs Fox.

Her son Adrian, who lives in the United States, said patients with similar needs were being funded in other parts of the country and branded the postcode lottery a "national scandal".

His mother receives NHS living assistance of £106 a week but the full costs of her nursing care at Donisthorpe Hall in Leeds is £750 a week.

He said his mother, the daughter of portrait artist Sydney Myers, and her late husband David had paid their taxes and it was "unfair" she was not receiving funding which is available by right once a patient's condition deteriorates and is not means tested. "She can do absolutely nothing for herself," he said.

"She cannot get out of bed without the assistance of two nursing staff, she sits motionless in a wheelchair all day.

"When in bed she cannot move or turn herself. She is doubly incontinent. She has to be fed with liquid food and coaxed - she hardly chews and has to be told to swallow. Without such assistance she would die pretty quickly of malnutrition.

"She says nothing coherent and so the nursing staff do not know if she is in pain and they have to guess her specific needs."

HOME TRUTHS ON FUNDING

Anyone assessed as requiring a certain level of care is eligible for NHS continuing healthcare funding to cover the full costs, including care home fees.

If a patient's overall care needs show their primary need is a health one, they should qualify for funding according to four key indicators:

- The type of condition or treatment required and its quality and quantity.
- Its complexity, including symptoms which are difficult to control or manage.
- Its intensity, including one

or more needs that are so severe they require regular interventions.

■ Its unpredictability, including unexpected changes which are difficult to manage and present a risk.

People who do not qualify have to pay for some or all of their care although the NHS provides free medical care - prompting criticism many have been forced to sell their homes.

Major changes are planned and a Government consultation is under way on future eligibility and how it will be funded.

Mr Fox said NHS chiefs had refused to pay full care costs because she was not in distress, although assessors admitted they could not know that.

He believes NHS officials are trying to save money because they know she has cash to pay for her fees from the sale of her home.

"My family cannot understand what the benefit was of my parents paying their contributions all their working lives," he said.

"Whether an individual is granted funding is totally random. It depends on where you live in the UK.

"When the funds run out Leeds PCT will have to take over paying - so clearly there is an incentive to put that time off as long as possible."

Mrs Fox's MP Mr Hamilton has written to NHS chiefs demanding a review. In his letter, he said: "There is no conceivable way in which Mrs Fox can be looked after other than through the continuous provision of specialised nursing care needed by a person in her condition."

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"As her mental state is difficult to evaluate, Mr Fox is informed that the primary care trust considers that sufficient reason to not recognise her need for continuing care as she exhibits no visible symptoms of distress.

"If this is true it would appear to be a cynical betrayal of due concern for Mrs Fox who could well still have some comprehension but is now trapped by the failure of her mental capacity and cannot communicate in any way."

In a reply, NHS Leeds acting chief executive Kevin Howells said Mrs Fox had been evaluated four times in the past year.

She was "deteriorating slowly" but her needs were not felt to be "unpredictable, intense or very complex" to qualify for funding.

NHS Leeds said it could not comment on individual cases.

"However we would like to reassure people that any patient being considered for fully funded NHS continuing care is individually assessed by a panel of health and social care professionals from NHS Leeds and Leeds City Council," said a spokeswoman.

"The panel assess each patient's level of primary health need against a robust national framework, set out by the Department of Health, to determine if they are eligible."

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HAPPIER DAYS: A photograph from the family archive of Sheila Fox and her late husband David with their grandchild Natasha Fox. Mrs Fox is the daughter of portrait artist Sydney Myers. Picture: Adrian Fox