

The Long-term Care Insurance (Guernsey) (Rates and Transitional Provisions) Ordinance, 2003

THE STATES in pursuance of their resolution of the 25th day of September, 2002^a and in exercise of the powers conferred on them by sections 5 and 35 of the Long-term Care Insurance (Guernsey) Law, 2002^b and all other powers enabling them hereby order:-

Rates of benefit.

1. (1) The maximum weekly rates of care benefit shall be -
 - (a) for persons resident in a residential home £280.00;
and
 - (b) for persons resident in a nursing home or the Guernsey Cheshire Home £518.00.

- (2) The maximum weekly rates of respite care benefit shall be -
 - (a) for persons receiving respite care in a residential home £399.00; and
 - (b) for persons receiving respite care in a nursing home or the Guernsey Cheshire Home £638.00.

Co-payment by way of contribution

^a Resolution 10 on Article X of Billet d'État No. XX of 2002.

^b Order in Council No. XXIII of 2002.

2. The weekly co-payment which a claimant shall make by way of contribution towards or for the cost of his care -

- (a) as a condition of the right to care benefit; and
- (b) which shall be taken into account for the purposes of determining the rate of care benefit,

shall be £119.00.

Transitional provisions concerning entitlement to care benefit.

3. A person who -

- (a) prior to the 31st day of December 2002 was receiving care as a resident of an approved care establishment;
- (b) has since that day been in continuous receipt of such care as such a resident; and
- (c) is receiving such care as such a resident on the 6th day of April 2003,

is a person in need of long-term care for the purposes of entitlement to care benefit under the provisions of the Law.

Transitional provisions concerning care establishments and care providers.

4. (1) Subject to subsection (2) the Administrator may designate -

- (a) an establishment; or

- (b) a provider of long-term care services,

in respect of which or whom an application for designation under section 11 of the Law has been received by the Administrator on or before the 4th day of April 2003, as an approved care establishment or an approved care provider for the purposes of the Law.

(2) A designation made by the Administrator under this section may be made -

- (a) for such period, not extending beyond the 7th day of October 2003, as the Administrator thinks fit;
- (b) subject to such conditions as the Administrator thinks fit; and
- (c) for the avoidance of doubt, notwithstanding that -
 - (i) the application for designation is incomplete; or
 - (ii) further enquiries need to be made or answered for the purposes of assessing the application.

Interpretation.

5. In this Ordinance unless the context otherwise requires -

“**the Law**” means the Long-term Care Insurance (Guernsey) Law, 2002; and

“nursing home” and “residential home” have the meanings given by section 18(1) of the Nursing Homes and Residential Homes (Guernsey) Law, 1976^c.

Extent.

6. This Ordinance shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

Citation.

7. This Ordinance may be cited as the Long-term Care Insurance (Guernsey) (Rates and Transitional Provisions) Ordinance, 2003.

^c Ordres en Conseil Vol. XXVI, p. 71.