

Palliative, End of Life Care & NHS Fast Track Funding

What is Palliative Care?

Palliative care is the term used for the provision of care for anyone who has been diagnosed with a life-limiting illness. The aim is to ensure care needs are met by the delivery of a comprehensive care package in such a way as to maintain quality of life by relieving discomfort or distress through pain management, psychological, social, spiritual and practical support. Often the individual's GP and/or Community Nurses will co-ordinate and deliver palliative care.

What is End of Life Care?

End of life care is for people who are in the last 12 months of their life. The aim is to help the individual with the provision of an appropriate care package to live as well as possible and to die with dignity. It can be provided at home, in a care facility, hospice or hospital by a range of health and social care professionals.

A patient's GP and/or Community Nurse usually coordinates end of life care provided at home or in a care facility. A multi-disciplinary team usually coordinates end of life care provided in a hospice or hospital.

Provision of end of life care should be coordinated through the implementation of an end of life care plan.

Fast Track Pathway Tool for NHS Continuing Healthcare

Individuals with a 'rapidly deteriorating condition that may be entering a terminal phase', can be 'fast tracked' for the purpose of assessment so that they can receive immediate NHS Continuing Healthcare provision and care.

The purpose is to identify individuals who need access to NHS Continuing Healthcare quickly and with minimum delay. To speed up the process there is no requirement to complete the Decision Support Tool. The process to be followed in brief is as follows:

1. A 'Fast Track Pathway Tool' should be completed by an 'appropriate clinician', setting out clear reasons why the individual fulfils the criteria with evidence that the individual is both rapidly deteriorating and may be entering a terminal phase. This will be sufficient to establish eligibility.
2. The 'appropriate clinician' must lodge the completed 'Fast Track Tool' with the CCG.
3. The CCG must accept and immediately action a properly completed Tool upon receipt to ensure that appropriate funding and a care package which respects the patient's preferred model of support is put in place within 48 hours.
 - If there are concerns that the completed Tool shows the patient's condition is not related to the criteria the CCG must urgently seek clarification to ensure the appropriate screening and eligibility assessments take place.
4. Once a Fast Track funded care package has been implemented, the package must be kept under review.

Who is an 'Appropriate Clinician'?

Any person who is:

- a) Responsible for the diagnosis, treatment or care of the individual in respect of whom a Fast Track Pathway Tool is being completed; and
- b) Is a registered nurse or registered medical practitioner. It can include clinicians employed in the voluntary sector with a specialism in end of life care (such as a palliative care specialist in a hospice).

What does 'Rapidly Deteriorating' mean?

'Rapidly deteriorating' should not be interpreted narrowly as only meaning an anticipated or short time frame of life remaining. 'May be entering a terminal phase' is not intended to be restrictive to only those situations where death is imminent.

The Tool should ideally include an indication of how the individual presents in the current setting, along with the likely progression of the individual's condition, anticipated deterioration and how and when this may occur. CCG's should not however require this information in order to establish eligibility via the Tool.

When will Fast Track funding stop?

If the patient is expected to die in the very near future, the NHS should take responsibility for the care package until the end of the patient's life.

Fast track funding should not be removed without eligibility being re-considered through the completion of a Decision Support Tool at a Multi-Disciplinary Team meeting.

The patient must be notified of any proposed changes in funding arrangements in writing. The right to request a review of the decision should be explained.

How can fast track funded care be personalised?

An individual can request a Personal Health Budget is provided by the NHS to give more choice about who provides care, where the care is received and the preferred place of death.

What does 'Advance Care Planning' mean?

'Advance care planning' means the process whereby patients, in consultation with health and social care professionals, family members and friends, make decisions to prepare for future care arrangements.

It includes:

- Identifying wishes and preferences with regard to future care provision. This should be documented and easily accessible to others.
- Making an 'advance decision' to document refusal to specific treatments.
- Appointing someone to manage and make decisions in the event that the individual lacks capacity to do so, by virtue of a Lasting Power of Attorney.

What is an 'Advance Decision'?

The Mental Capacity Act 2005 provides that a patient with capacity can make an advanced decision to refuse a specific, future medical treatment. The practical effect is that the advance decision acts as a valid and binding refusal of a specific medical treatment in the future.

Any advance decisions in respect of serious, life-sustaining medical treatment must comply with certain formalities and are likely to require a declaration by the Court of Protection. Refusal of life sustaining-treatment is a complex area of law.

What issues commonly arise?

- Many health and social care professionals are not aware of what Fast Track funding is, how to complete the Tool, and the process to secure funding.
- Who qualifies as an 'appropriate clinician' causes confusion, which can delay prompt access to a suitable care package.
- Health and social care professionals may resist the process where a patient has an existing care package capable of meeting end of life needs. It is vital that any patient who satisfies the criteria receives Fast Track funding because a self-funder or Local Authority should not fund care when it is the NHS' responsibility to do so.
- Advance decisions are often misunderstood and require explanation to health and social care professionals.

How can Lester Aldridge assist?

- An initial, free assessment to determine whether you, or a loved one, meets the criteria for NHS Fast Track funding.
- Support to request appropriate end of life, palliative care, or secure an NHS Fast Track funded package of care quickly. Often this requires consultation with the appropriate health professionals to ensure the correct type of clinician completes the Tool and follows the right process to have the Tool processed by the responsible CCG.
- On-going support to ensure appropriate care is implemented and maintained.
- Advice regarding how to challenge refusals to provide end of life, palliative care, or NHS Fast Track funding.