

28 August 2019

Re: Official Information Act request – Rest Home Residents

I refer to your Official Information Act request dated 20 August 2019 requesting the following information:

How many people are in rest homes or under similar services in greater Auckland area that have not being born in nz or have not been a nz resident for either 10 or 20 years are in rest home care paid for by the nz taxpayer?

But specially I want to know how many people are in nz paid care who have arrived in nz as result of immigrants importing their parents, and then the original immigrants have re migrated, mainly to Australia, leaving their parents here without means.

People entering into aged residential care are covered by a statutory regime set out in Residential Care and Disability Support Services Act 2018. The Act is administered by the Ministry of Social Development, but funding of residents is provided via DHBs, who enter into a standard Aged Related Residential Care Agreement with residential care providers.

Sections 15 to 18 of the Act set out the liability of qualifying person for cost of Long Term Residential contracted care via four basic rules:

15 Rule 1: no qualifying person to pay more than maximum contribution

- (1) No qualifying person is liable to pay more than the maximum contribution towards the cost of the contracted care services provided to that person.
- (2) The maximum contribution is the maximum amount that an individual may be required to pay towards the cost of LTR contracted care provided to the individual and that is set for each region under section 53.
- (3) Subsection (1) applies irrespective of the person's assets or income.

16 Rule 2: qualifying person whose assets are above asset threshold must contribute maximum contribution

A qualifying person whose assets as determined by a means assessment under section 34 are above the applicable asset threshold must contribute the maximum contribution for as long as that person's assets are above the applicable asset threshold.

17 Rule 3: qualifying person whose assets are equal to or below asset threshold must pay contribution based on income

A qualifying person whose assets as determined by a means assessment under section 34 are equal to or below the applicable asset threshold must pay a contribution, based on income determined by a means assessment under section 37, towards the cost of that person's LTR contracted care.

18 Rule 4: funder must pay difference between qualifying person's contribution and cost of LTR contracted care

In relation to each qualifying person, the appropriate funder must pay the difference between—

- (a) the qualifying person's contribution (under section 16 or 17, whichever is applicable); and
- (b) the cost of the qualifying person's LTR contracted care.

A qualifying person is defined as a person who—

- (a) is aged 65 years or over; and
- (b) is funding eligible; and
- (c) has been positively needs assessed; and
- (d) receives contracted care services; and
- (e) is entitled, under section 32, to apply for a means assessment.

All people entering aged residential care funded by Auckland DHB have established they are a qualifying person, eligible for publicly funded health and disability services in New Zealand. As it is not relevant to their status whether or not they were born in NZ or have been a NZ resident for either 10 or 20 years that information is not collected by this DHB, nor is the background information as to whether they may have arrived in NZ as result of immigrants importing their parents, and then the original immigrants having re migrated, mainly to Australia, leaving their parents here.

You are entitled to seek a review of the response by the Ombudsman under section 28(3) of the Official Information Act. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that this response, or an edited version of this response, may be published on the Auckland DHB website.

Yours faithfully



Ailsa Claire, OBE
Chief Executive