

ENIL Personal Assistance Survey

Country/region: Denmark

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Contact Person: Stig Langvad, stla@outlook.dk

ENIL Contact Person: Dilyana Deneva, dilyana.deneva@enil.eu

PART 1: KEY INFORMATION ABOUT PERSONAL ASSISTANCE

LEGISLATION/POLICY	
Is there legislation covering personal assistance (PA)?	<p>YES</p> <p>It is legislation within the resort of The Ministry for Social Affairs. It is a social right. It is based on the assessment of impairment by a social counsellor in collaboration with the disabled person. The legislation is implemented and managed by the municipality where the person resides. The person is granted a personal budget and is given the right to manage the assistance. It can be provided through 2 different approaches:</p> <p>1. As traditional home care and accompanying services through many hours per day (round-the-clock)</p> <p>or</p> <p>2. As user-controlled PA focusing on participation within the local community (round-the-clock). If it is PA focusing on persons who are using various forms of ventilator/respirator, the PA is managed and delivered by the regional authorities (county level).</p>
Is PA currently provided on a pilot basis?	<p>NO</p> <p>It is based on legislation from the early 1960s after the polio epidemic and has been introduced as a pilot project within a few municipalities since the early 1970s and became a right in accordance with the social legislation in 1986.</p>
What is the total number of registered PA users in the	Approximately 2500

country?	
Has this number increased, decreased or stagnated (eg due to waiting lists) in the last 5 years?	Decreased because of reduced budgets within the municipalities and political ambitions focusing on providing others solutions for those who are having less cognitive capacity.
Does everyone, regardless of type of impairment, have access to PA?	NO In theory there are no limits across different kinds of impairments, but in reality it is predominantly for physically disabled persons who are able to manage the PA by themselves.
Does everyone, regardless of age, have access to PA?	NO It is only provided to disabled persons between 18 and 65 years of age, but it is possible to being provided after one has become more than 65 years of age if one had it granted before reaching 65 years of age.
Are there restrictions on what PA can be used for?	YES There are a few restrictions. The PA is not allowed to do gardening, remove snow, etc. The PA is also protected by some EU legislation regulating the working hours. And the PA is of course also protected by the regulation of safe working environments.
CHANGES IN LEGISLATION/POLICY	
Have there been any changes in legislation/policy restricting the use of PA in the last 5 years?	YES The legislation has been changed several times during the last 5 years. The focus of these changes in legislation has been to improve the clear understanding of the purpose of the legislation. It is not so that there is a mutual understanding of the needs of these changes across politicians/civil servants/those with the PA-arrangement.
Have any other limitations	YES

<p>been introduced that prevent/restrict PA use in the last 5 years?</p>	<p>The legislation has been changed so that it is clear that economic considerations are to be considered when assessing the needs of a disabled person. Before it was the individual need of PA was sufficient to be granted such and now the decision whether one is eligible for this service needs also to be economically justified.</p>
<p>If negative changes/restrictions have taken place in the last 5 years, what were the reasons (eg structural, financial etc.)?</p>	<p>The main reasons are economic.</p>
<p>ELIGIBILITY ASSESSMENTS</p>	
<p>Who carries out eligibility assessments for PA?</p>	<p>In general it is the municipality, but when it is about persons with the need of ventilator/respirator it is also the regional authorities together with municipalities.</p>
<p>How often are assessments repeated?</p>	<p>There are no clear paragraphs within the legislation regarding this and it is allowed to “run” over more than one year, but in practice the majority of the PA-arrangements are reassessed yearly.</p>
<p>Is there a specific assessment tool that is used?</p>	<p>YES There are some social tools that can be of assistance to the dialogue between the social counsellor and the disabled person. Those tools are focusing on assessing the needs of PA for participating in daily activities adjusted to the needs which are out jumping off the impairment.</p>
<p>FUNDING</p>	
<p>How are PA services funded?</p>	<p>By the state: YES When the expenditures are above a certain limit (quite high) the state provides either 25% or 50% of the expenditures above the threshold of the expenditures by the municipality (starting above approximately USD175,000). By the regional or local authority: YES When the disabled person is dependent on ventilator/respirator the regional authorities are paying for the expenditures which are relating to that kind of medical treatment (as it is</p>

	<p>considered) and then the municipality is paying for the care and accompanying activities.</p> <p>Both: YES</p> <p>The municipality is paying for the expenditures below the trestle and for the care/activity expenditures, but the regional authorities are paying as described above.</p>
Is PA a means tested service?	<p>NO</p> <p>There are rules describing what kind of expenditures can be granted by the municipality and/or regional authorities. Those rules are not necessary fully in line with the needs and thoughts of the PA user.</p>
What is the maximum number of PA hours per day/week that can be approved?	<p>It depends on the needs of the PA user. One can be granted more than 168 hours per week if there are needs for more than one PA at the time. The average amount of hours given to PA users is 110 hours per week.</p>
What is the hourly rate that is funded?	<p>The hourly rate is in accordance with the agreement between the municipalities and the trade unions regarding un-skilled employment within the “care industry” which are slightly below the average of the income of employees within Denmark.</p>
Are direct payments/personal budgets available for funding PA?	<p>YES</p> <p>It is the basics of the PA-arrangements to be funded by personal budgets. It is though possible to have special bureaus or family members/close relatives to assist the PA user in managing the PA.</p>
What is the total number of direct payments/personal budget holders in the country?	<p>Approximately 2500 with personal budget. There are also persons who are having “ordinary home care” who are having a personal budget, but it is quite different from the PA service.</p>
Are family members allowed to be paid as PAs?	<p>YES</p> <p>Family members are allowed to be employed by the disabled person, but it is not recommended because of the dependency of the relation.</p>

PROVIDERS AND SUPPORT	
Is there a choice of providers of PA services?	<p>YES</p> <p>First of all, there is the option of being responsible yourself or asking a private company, an organization or family/close relative to be an assistant. Secondly, there are several companies and one organization providing PA service.</p>
If PA can be provided by user-cooperatives, do they have to be accredited?	<p>NO</p> <p>It is though something that is often debated in relation to strengthening the quality of the PA-arrangements.</p>
Are PA users provided with training on how to manage their assistance?	<p>YES</p> <p>It is not so that everyone must be participating in training of their capability to be responsible for their personal budget and PA-arrangement, but it is something that can be provided especially towards youngsters that are receiving their personal budget for the first time after leaving family settings or having difficulties in managing because of lack of experience or personal competences.</p>
Are people with intellectual disabilities allowed to manage their own assistance?	<p>NO</p> <p>Persons with a psychosocial disability are not allowed to have a PA, they are excluded by the law. Persons with intellectual impairments are not in theory deprived of the right to receive PA service, but in reality they are not receiving their own assistance because of lack of support.</p>
Are support services such as peer support/peer counselling/IL training provided by user organisations funded by the state or the local authority?	<p>NO</p> <p>It is possible for the municipalities to grant the necessary means to persons in need of peer counselling or other forms of counselling, but it is more and more rarely that it is taking place.</p>

PART 2: ADDITIONAL INFORMATION

<p>Please provide background information about the introduction of PA into legislation/policy (which actors were involved in advocating for PA, was there inspiration drawn from a certain country, which public stakeholders were needed to set it up, which challenges arose in the process of developing the legislation/policy, what resources were needed)?</p>	<p>It started in the early 1970s when one person with a physical disability moved from an institution into a house and required assistance. The municipality was not able to provide for the necessary assistance and had to come up with a solution. Since then and until 1986 PA slowly became a possibility across the majority of the Danish municipalities. The driving force for this development was the active engagement of individuals and organizations of disabled persons supported by friendly politicians at national and local level.</p>
<p>Are there any current challenges in implementing the PA legislation/policy?</p>	<p>There are several challenges, among others:</p> <ol style="list-style-type: none"> 1. Adequate access to getting PA. 2. Maintaining the existing PA at the necessary level (seen from the perspective of the disabled persons). 3. Getting the budget for the PA to be able to provide for working conditions for the assistance in accordance with the agreements between the municipalities and the trade unions.
<p>Has the legislation/policy on PA led to empowerment of disabled people, setting up of CILs or cooperatives etc.?</p>	<p>The single disability organizations representing persons with physical disabilities have set up their own cooperative organization providing PA. It is a cooperative working to the benefit of all constituencies.</p>
<p>Is PA used in the process of de-institutionalisation (to help people leave institutional care)?</p>	<p>Not so much today as previously. This is basically because the level of institutionalisation of persons with a physical disability is very low in Denmark. The majority of the PA users is coming from hospitals after accidents or from living with their parents/relatives.</p>
<p>Was any research carried out in the country on the costs of PA? If yes, please provide links or attachments.</p>	<p>There has been some studies regarding the conditions for establishing PA-arrangements, but the majority of those studies have not been cross-cutting and focusing on the business case of providing private budgeting compared to public/institutionalised budgets.</p>
<p>If family members are</p>	<p>Family members are allowed to work as PAs, but</p>

allowed to work as PAs, is this considered problematic or beneficial?	have to be working to the same level as others on the labour market (dominantly 37 hours per week). There are though which allows for relative to work up to 42 hours per week.
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