

# **Collection Manual**

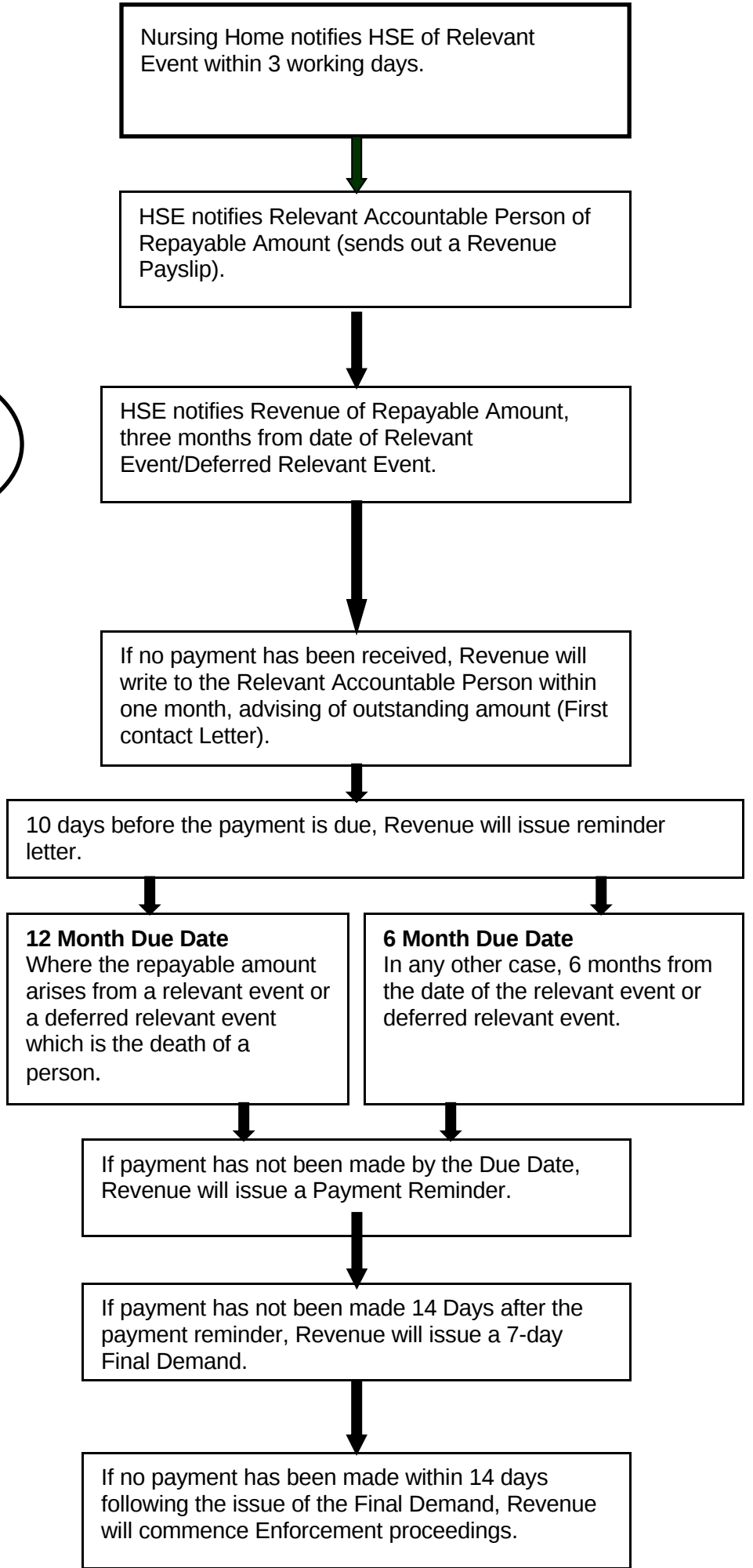
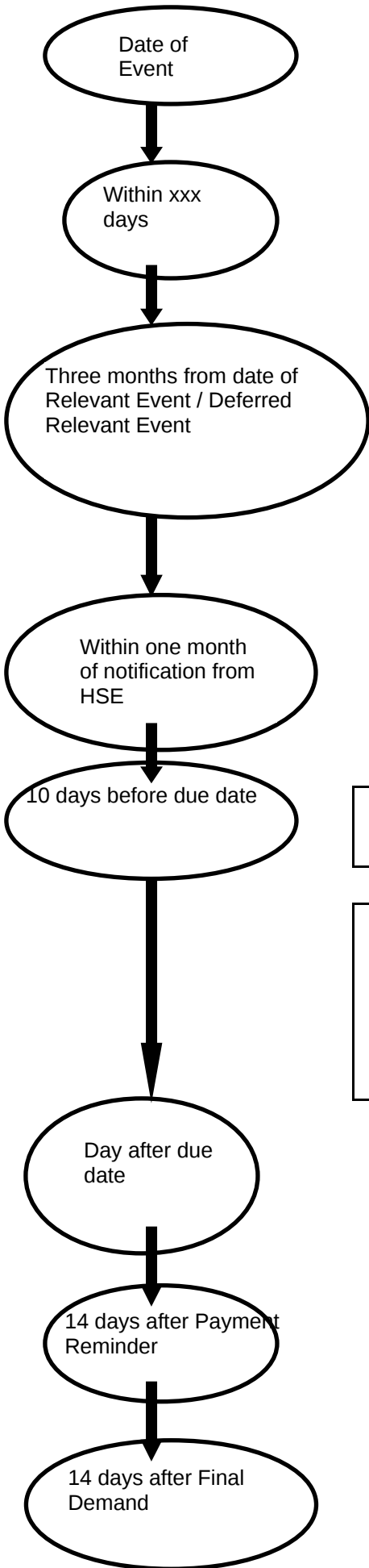
## **Guide for the Collection of Ancillary State Support Nursing Homes Support Scheme Act 2009**

**Reviewed: July 2011**

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**Flowchart**



## Section 1 - Introduction

### 1.1 Ancillary State Support

The Nursing Home Support Scheme Act 2009 was signed into law on the 1<sup>st</sup> July 2009; Section 26 of the Act sets out the role of Revenue in dealing with the collection of monies advanced by way of Ancillary State Support. Section 26 (2)(b) states that Revenue “shall act as collection agent for the Executive in respect of monies due to the Executive under this Act in relation to Ancillary State Support”.

The Act provides for a scheme of State support for public and private long-term nursing home care. It aims to render private long-term care affordable and to ensure that nobody has to sell their home during their lifetime to pay for their care.

If a person opts for the Nursing Homes Ancillary State Support, it becomes payable on:

- Death
- The sale or transfer of property, if this occurs before death

Where the Ancillary State Support becomes payable on death, the repayment can be further deferred or postponed in certain cases. This is called Further Deferral. Full details can be found on the HSE website – [www.HSE.ie](http://www.HSE.ie).

### 1.2 Revenue Role

Revenue is the collection agent for the Health Service Executive (HSE) in relation to Ancillary State Support as laid down in Nursing Homes Support Scheme (Collection and Recovery of Repayable Amounts) Regulations 2009 - S.I. No. 436 of 2009.

### 1.3 Timeframes

Any money owed arising from Ancillary State Support must be repaid to Revenue as soon as possible after notice is received from the HSE and, in any event, within the timeframes as follows:

- If the repayment arises, for example, because of the death of the person in care it must be repaid within **12 months** of the date of death. Otherwise interest will apply from the date of death.
- If the loan is repayable because of the sale or transfer of the care recipient’s property during their lifetime, it must be repaid within 6 months of the date of sale or transfer, or interest will apply back to that date.

Once payment is made within the above time limits, interest will not have to be paid.

## **Section 2 - Notifications**

### **2.1 Notification by Nursing Home Proprietor**

A proprietor of a nursing home must notify the HSE in writing within 3 working days of a relevant event.

**A relevant event occurs where a care recipient in receipt of Ancillary State Support:**

- **Dies.**
- **Is discharged from or**
  - **Is otherwise no longer habitually resident in the approved nursing home.**

### **2.2 HSE issues Notification of the Repayable Amount to the Relevant Accountable Person**

The HSE notifies the Relevant Accountable Person of the Repayable Amount.

The Relevant Accountable Person is the person responsible for the repayment and may be a different person depending on the circumstances. For example, if a person sells or transfers their property during their lifetime, they and their spouse, partner or civil partner will be responsible for the repayment. On the other hand, where the loan is repayable on a person's death, the personal representative (who is administering the estate of the deceased) may be responsible for the repayment. A person who inherits the property or any part of it can also be held accountable for repayment of the Ancillary State Support.

The Repayable Amount is effectively a loan advanced by the State, which can be repaid at any time but will ultimately fall due for repayment on the death of the care recipient. The timeframes are those set out at [Paragraph 1.3](#).

When the Ancillary State Support falls due for repayment the HSE will write to the Relevant Accountable Person and the HSE will include the Revenue payslip to assist the person in making the payment as soon as possible. [Sample Payslip](#).

### **2.3 HSE issues Notification to Revenue Commissioners**

**Under Section 26(3) of the Act, the HSE will notify Revenue within three months from the date of relevant event or deferred relevant event providing the following information:**

- Name of Care Recipient
- PPSN of Care Recipient
- Address of Care Recipient
- Name of Spouse, Partner or Civil Partner (if applicable)
- PPSN of Spouse, Partner or Civil Partner (if applicable)
- Address of Spouse, Partner or Civil Partner (if applicable)
- Repayable Amount

- How the Repayable Amount was calculated
- Details of Asset (Folio No./Dealing No. in Property Registration authority)
- Date of Relevant/Deferred Event
- Relevant Accountable Person
- PPSN of Relevant Accountable Person
- Address of Relevant Accountable Person
- Date HSE notified Relevant Accountable Person

## **Section 3 - Payments**

### **3.1 Payment Received**

**Where a repayable amount is paid to Revenue by, or on behalf of the Relevant Accountable Person, Revenue will:**

- (a) Furnish the Relevant Accountable Person with a receipt in respect of that payment. Initially this will be in letter form. [Sample Receipt](#).
- (b) Notify the HSE of the payment and supply the following information:
  - 1 Name of Care Recipient
  - 2 Address of Care Recipient
  - 3 PPSN of Care Recipient
  - 4 Date of Relevant/Deferred Event
  - 5 Repayable Amount
  - 6 Amount Paid
  - 7 Interest Charged (if applicable)
  - 8 Details of Asset (Folio No./Dealing No. in Property Registration Authority)

It is envisaged that Revenue will supply this information monthly.

### **3.2 No Payment Received**

#### **First Contact Letter**

If no payment has been received within one month of notification from the HSE, Revenue will write to the Relevant Accountable Person.

The [First Contact Letter](#) will bring to the attention of the Relevant Accountable person; the timeframe for payment and it will include a payslip for this purpose.

#### **Reminder Letter**

If no payment has been received 10 days prior to the due date, a [Reminder Letter](#) will issue to the Relevant Accountable Person. This letter will advise that in the event of non-payment, interest may accrue.

**The amount of interest will be calculated as follows:**

$$(R \times D) \times 0.0219\%$$

**where**

**R- is the Repayable Amount which remains unpaid and**

**D- is the number of days (including part of a day) forming the period of delay.**

### **Payment Reminder**

In the event of non-payment by the due date, a [Payment Reminder](#) will issue to the Relevant Accountable Person, the day following the due date.

### **Final Demand**

In the event of non-payment, a [Final Demand](#) will issue to the Relevant Accountable Person, 14 days after the payment reminder has issued.

The following material is either exempt from or not required to be published under the Freedom of Information Act 1997.

[...]

### **Enforcement Proceedings**

There are three enforcement options:

Failing to make payment within 14 days from the date of the Final Demand, the amount in question may:

1. Be the subject of Court proceedings for recovery of the debt.
2. Be referred to the Sheriff or County Registrar with a view, where necessary, to the seizure of goods to the value of the debt due and any fees and expenses due to the Sheriff/County Registrar.
3. Be the subject of a direction, as specified in a notice of attachment, to a third party who owes the Relevant Accountable Person money, to pay to Revenue rather than direct to the Relevant Accountable Person an amount equivalent to the amount due to Revenue.

The following material is either exempt from or not required to be published under the Freedom of Information Act 1997.

[...]

# APPENDICES

## Appendix 1 - Sample Payslip



HSE Reference. No. \_\_\_\_\_

### NURSING HOMES SUPPORT SCHEME PAYSLIP

#### Nursing Home Support

The Revenue Commissioners are the payment collection agent for the Health Service Executive (HSE) of charges incurred by way of Ancillary State Support provided for in the Nursing Homes Support Scheme Act 2009.

#### Method of Payment

The payment must be made by cheque and made payable to the Collector-General and forwarded to:

Collector-General,  
Sarsfield House,  
Limerick.

This payslip should be sent with the cheque. If the designated "Nursing Homes Support Scheme" payslip is not sent with the payment, then a delay in the processing of the payment may occur because Revenue may not have the precise information we need to process your payment speedily.

#### Accountable Person

This is the person determined by the HSE as being responsible for paying the amount due in respect of Nursing Home financial support provided to the Care Recipient.

#### Care Recipient

This is the person in respect of whom financial support under the scheme was provided.

### IMPORTANT

To ensure your payment is processed speedily and correctly, it is necessary to complete **PART A AND PART B** of this payslip.

#### PART A Accountable Person Details

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PPS Number:

#### PART B Care Recipient Details

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PPS Number:

Amount of Payment €  ,  ,  .

## Appendix 2 - Sample of First Contact letter



**Office of the Collector General  
Sarsfield House  
Limerick**

Relevant Accountable person  
Park Place  
Hatch Street  
Dublin 2

DD/MM/YY

### **Nursing Home Charges in respect of Name Address PPS.**

Dear Sir/Madam,

The Health Service Executive has notified the Revenue Commissioners that in accordance with the provisions set out in the Nursing Homes Support Scheme Act 2009, the sum of €xxxxx is payable in respect of nursing home charges incurred in relation to the person named above.

Under Section 26 of the said Act, Revenue has responsibility for collection of the sum mentioned.

Payment of this sum is due no later than dd/mm/yy. You should make the necessary arrangements to ensure that this sum is paid on time.

I enclose a payment slip for this purpose.

Yours faithfully,

pp Gerard Harrahill  
Collector General

## Appendix 3 - Sample of Reminder Letter 1



**Office of the Collector General  
Sarsfield House  
Limerick**

Relevant Accountable person  
Park Place  
Hatch Street  
Dublin 2

DD/MM/YY

### **Nursing Home Charges in respect of Name Address PPS.**

Dear Sir/Madam,

I wrote to you on dd/mm/yy advising you of the fact that the sum of €xxxxxx is payable in respect of nursing home charges incurred in relation to the person named above.

That sum is due for payment on or before dd/mm/yy. You should ensure that this payment is made to Revenue on time as late payment attracts an interest charge.

Arrangements should be made now for the payment to be made on time. If you have already taken the necessary steps or if your payment has crossed in the post with this letter, thank you.

I enclose for your assistance a further copy of the payment slip that should accompany your payment.

Yours faithfully,

---

pp Gerard Harrahill  
Collector General



## Appendix 4 - Sample of Payment Reminder 2



**Office of the Collector General  
Sarsfield House  
Limerick**

Relevant Accountable person  
Park Place  
Hatch Street  
Dublin 2

DD/MM/YY

### **Nursing Home Charges in respect of Name Address PPS.**

Dear Sir/Madam,

I wrote to you on dd/mm/yy advising you of the fact that the sum of €xxxxxx is payable in respect of nursing home charges incurred in relation to the person named above.

That due date for payment expired on dd/mm/yy. My records indicate that you did not make payment.

You should be aware that if you do not resolve this issue as a matter of urgency, it will be necessary for Revenue to collect the debt due using the enforcement measures available to them.

If you have already taken the necessary steps or if your payment has crossed in the post with this letter, thank you.

I enclose for your assistance a further copy of the payment slip that should accompany your payment. Please reply within 10 days.

Yours faithfully,

---

pp Gerard Harrahill  
Collector General



## Appendix 5 - Sample of Final Demand



**Office of the Collector General  
Sarsfield House  
Limerick**

Relevant Accountable person  
Park Place  
Hatch Street  
Dublin 2

DD/MM/YY

### **Final Demand**

#### **Nursing Home Charges in respect of Name Address PPS.**

Dear

I refer to correspondence issued to you on xx/mm/yy. According to our records no payment has been received.

I hereby request payment of €xxxx in respect of the amount repayable. Interest on the amount due has been accruing from the dates shown at the appropriate rate.

Failing to make payment within 7 days from today's date, the amount in question may:

- be the subject of Court proceedings for recovery of the debt due.
- be referred to the Sheriff or County Registrar with a view, where necessary, to the seizure of goods to the value of the debt due and any fees and expenses due to the Sheriff/County Registrar
- be the subject of a direction, as specified in a notice of attachment, to a third party who owes you money, to pay to Revenue rather than direct to you an amount equivalent to the amount due by you to Revenue.

Any such action will be taken without further warning.

The amount of interest due up to the date of the Court hearing, or referral to the sheriff, or notice of attachment as appropriate, will be specified and that interest will be collected as if it were tax. Future instances of late payment will also attract interest that will have to be paid by you.

Any further action taken to collect the debt now due may involve significant costs including professional fees. These costs will have to be paid by you so it is in your interest to deal with this matter now without delay.

Yours faithfully,

\_\_\_\_\_  
p.p.Gerard Harrahill  
Collector General



## Appendix 6 - Sample of Receipt



**Office of the Collector General  
Sarsfield House  
Limerick**

Relevant Accountable Person  
Park Place  
Hatch Street  
Dublin 2

Your Ref:

DD/MM/YY

### **Nursing Home Charges in respect of Name Address PPS.**

Dear Sir/Madam,

Thank you for your payment of € \_\_\_\_\_ in respect of Ancillary State Support for the above-mentioned person.

Yours faithfully,

\_\_\_\_\_  
pp Gerard Harrahill  
Collector General