

Decision Making Guidance

Scottish Adult Disability Living Allowance: Rules for Renal Dialysis

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Introduction

1. This chapter is relevant to individuals receiving Scottish Adult Disability Living Allowance (Scottish Adult DLA) who report a change in their condition. It describes rules of entitlement for the care component of Scottish Adult DLA that apply to people receiving renal dialysis due to a disability or a health condition¹.

1 Scottish Adult DLA Regs, Reg. 21

2. Scottish Adult DLA is made up of the care component and the mobility component. Each of these components is awarded at a different rate. Rates describe a set amount of money at which the disability allowance is paid to the individual. There are three rates of the Scottish Adult DLA care component: the lowest, middle, and highest rate. More information about the rates and components for Scottish Adult DLA can be found in the Rates and Criteria chapter.

3. Dialysis is a procedure to remove waste products and excess fluid from the blood when the kidneys stop working properly. It often involves diverting blood to a machine to be cleaned and can be performed at home or in hospital. There are two types of [dialysis](#):

- Haemodialysis is carried out on average three times a week. Each treatment takes approximately 4 hours
- Peritoneal Dialysis is carried out daily for most people. It takes 10-12 hours overnight.

4. Individuals receiving particular types of renal dialysis may qualify for the middle rate of the care component of Scottish Adult DLA under the rules for renal dialysis. If the individual qualifies for the care component under the renal dialysis rules then they do not need to meet the usual rules for the care component.

5. To be entitled to the care component under renal dialysis rules, individuals need to fulfil the backwards and forward test.

6. Undergoing renal dialysis does not automatically entitle individuals to the higher or lower Scottish Adult DLA mobility component. They can receive the higher or lower Scottish Adult DLA rate of the mobility component only if they satisfy the criteria for the mobility component.

Eligibility

7. An individual receiving renal dialysis is entitled to the middle rate of the care component of Scottish Adult DLA if they receive renal dialysis at least twice a week¹

1 Scottish Adult DLA Regs, Reg. 21(2)(a)

8. An individual is entitled to the middle rate of the care component if:
- their type of dialysis makes it necessary for another person to be present or to supervise¹ during the dialysis period
 - they need another person to be present during dialysis to help with their bodily functions or to supervise the individual in order to avoid substantial danger to them².

1 Scottish Adult DLA Regs, Reg. 21(2)(b)(i)

2 Scottish Adult DLA Regs Reg. 21(2)(b)(ii)

9. However, an individual is not eligible under the rules for renal dialysis if they satisfy **all** of the following criteria:

- Their treatment is provided by the NHS; and is delivered in a hospital or similar institution; and
- Is out-patient treatment; and
- Takes place with the assistance or supervision of staff or the hospital or similar institution.

10. See the Scottish Adult DLA Definitions chapter for definitions of the following terms:

- supervision
- bodily functions
- substantial danger.

11. There are special rules for individuals who are terminally ill. These are set out in the Special Rules for Terminal Illness chapter.

Attendance or supervision required during dialysis

12. There are individuals who receive a type of dialysis who normally require another person to be present or supervising during set-up or during the dialysis period.

13. The case manager should assume that an individual receiving Scottish Adult DLA has a need for attendance or supervision in relation to renal dialysis without requiring any further supporting information.

Example: an individual does not meet the criteria for the renal dialysis rules

Julija receives haemodialysis treatment in her local NHS hospital in Glasgow every Monday, Wednesday and Friday. Julija's sister attends her dialysis sessions with her to keep her company. At the time of reporting the change in her circumstances, Julija

has had her kidney condition for four months and therefore satisfies the backwards test. The dialysis normally takes up to four hours.

A nurse sets up the dialysis and makes sure Julija is comfortable. Most days, the nurse also checks vital signs and how Julija is coping several times during treatment.

After the dialysis is completed the nurse turns off the machine and helps Julija get up. Julija is not entitled to the middle rate of the care component, as she receives her dialysis as an NHS hospital outpatient, with support from staff. The case manager does not need ask Julija's sister to demonstrate that she or the nurse is present during her treatment to make that decision.

Example: an individual requires supervision during dialysis to prevent substantial danger to themselves or others

Yasmin is 30, receives Scottish Adult DLA, and receives dialysis at home three times per week as a result of kidney damage in a road traffic accident years earlier. Yasmin also has an acquired brain injury, and as a result she can become agitated during her treatment. When agitated, Yasmin can jump out of her seat or pull at her catheter, resulting in it becoming dislodged. This is painful for Yasmin, and interferes with her treatment, putting her at risk. Yasmin's mother therefore sits with her in order to soothe her if she becomes distressed.

The case manager decides that Yasmin is entitled to receive the middle rate of the care component, as whilst her treatment is covered by the NHS and is delivered to her as an out-patient, she receives it in her home rather than at hospital.