

Rules for Renal Dialysis

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This chapter covers the following topics:

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Introduction

1. This chapter is relevant to both:
 - individuals making a new application for Pension Age Disability Payment (PADP)
 - individuals receiving PADP who report a change in their condition.
2. It describes the PADP rules of entitlement that apply to people receiving renal dialysis due to a disability or health condition¹.

1 PADP regs, reg. 7
3. PADP is awarded at two different rates, the lower rate and the higher rate. Rates of PADP describe the amount of money that is paid to the individual based on their needs.
4. Individuals receiving particular types of renal dialysis may be entitled to PADP under the rules for renal dialysis at the lower rate. If the individual is entitled to PADP under these rules, they do not need to meet the standard rules of the daytime or night-time conditions.
5. Those receiving renal dialysis may also have other disabilities or health conditions which have an impact on their needs. They may refer to this in their application form. Case managers should take the impact of other disabilities or health conditions into account when making a determination of entitlement to PADP.
6. When an individual both:
 - satisfies the rules for renal dialysis
 - has another disability or health condition that follows the standard rules of the daytime and night-time conditions

Case managers should refer to the 'Dialysis and other needs' section to understand Social Security Scotland's approach to making a determination of entitlement.

7. 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 a hospital.
8. There are two types of dialysis:

Haemodialysis

Haemodialysis is the most common type of dialysis and the one most people are aware of. Most people need three sessions of haemodialysis a week, with each session lasting around 4 hours. This can be done at home or in a hospital.

Peritoneal dialysis

Peritoneal dialysis uses the membrane of the covering of the internal abdominal organs (peritoneum) to act as a filter when a specific type of fluid is fed into the abdomen. There are 2 main types of peritoneal dialysis:

- continuous ambulatory peritoneal dialysis (CAPD), where an individual's blood is filtered several times during the day
- automated peritoneal dialysis (APD), where a machine helps filter an individual's blood during the night as they sleep

Both types of peritoneal dialysis can be done at home once an individual has been trained to carry it out themselves.

9. General information on the different types of dialysis is available on the [NHS Inform](#) or [NHS Health A to Z](#) webpages. If case managers require specific medical advice relating to an individual's application for PADP, they should request a case discussion with a practitioner .

Eligibility

10. An individual will have satisfied the daytime condition if they undergo renal dialysis that meets the criteria by day¹. An individual will have satisfied the night-time condition if they undergo renal dialysis that meets the criteria by night².

*1 PADP regs, reg. 7(1)(a)
2 PADP regs, reg. 7(1)(b)*

11. If an individual undergoes renal dialysis by day and night, they can only satisfy either the daytime or night-time condition, not both¹. For more information, see the 'Daytime or night-time condition' section of this chapter.

1 PADP regs, reg. 7(1)(c)

12. An individual is entitled to PADP under the rules for renal dialysis if they receive renal dialysis two or more times a week¹ and either:

- their type of dialysis normally requires another person to be in attendance or to supervise during the period of dialysis²
- 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 themselves³.

1 PADP regs, reg 7(2)(a)

2 PADP regs, reg 7(2)(b)(i)

3 PADP regs, reg 7(2)(b)(ii)

13. See the PADP Definitions chapter for definitions of the following terms:

- supervision
- bodily functions
- substantial danger

14. An individual entitled to PADP under the rules for renal dialysis does not need to meet the standard rules of the daytime or night-time conditions. However, they are still required to meet the other entitlement criteria, such as:

- the age criteria
- residence and presence rules.

15. The individual also needs to satisfy the backwards test. Time spent in hospital¹ receiving renal dialysis can be included when calculating whether an individual has satisfied the backwards test.

1 PADP regs, reg 7(5)

16. Where an individual's renal dialysis takes place needs to be considered when determining eligibility for PADP. More information on this requirement can be found in the 'Where the dialysis takes place' section of this chapter.

17. There are special rules for people applying for PADP who are terminally ill. These are set out in the PADP Special Rules for Terminal Illness chapter.

Where the dialysis takes place

18. An individual is not entitled to PADP under rules for renal dialysis if they are receiving renal dialysis with the assistance or supervision of staff within the National Health Service (NHS) as an outpatient in a hospital or similar institution under¹:

- the National Health Service (Scotland) Act 1978
- the National Health Service Act 2006
- the National Health Service (Wales) Act 2006
- the Health and Personal Social Services (Northern Ireland) Order 1972

1 PADP regs, reg 7(3)

19. Where an individual's application form states that they receive renal dialysis from home, case managers should start from a position of trust without requiring any further supporting information to confirm this.
20. The PADP Supporting Information chapter has more information on what supporting information is required from a professional to broadly confirm an individual's needs, disability or health condition.
21. If an individual's application form does not state where they receive renal dialysis, case managers should clarify this with the individual before making a determination of entitlement.
22. For more information on approaching determinations from a position of trust, refer to the 'person-centred decision-making' section of the PADP Principles of Decision-making chapter.

Example: an individual who receives renal dialysis within an NHS hospital

Tiernan is 72 years old and has applied for PADP. Tiernan has kidney failure and attends his local NHS hospital three times a week for haemodialysis. At the time of his application, Tiernan had his kidney condition for seven months, and therefore satisfied the backwards test. Tiernan did not have any other needs or conditions that the case manager needed to consider when making a determination.

A nurse sets up Tiernan's dialysis and makes sure he is comfortable. Most days, the nurse also checks for vital signs and how Tiernan is coping several times throughout treatment. After the treatment is completed, the nurse turns off the machine and helps Tiernan get up.

As Tiernan's treatment is carried out at an NHS hospital and assisted by nursing staff, Tiernan is not entitled to an award of PADP.

Example: an individual who receives renal dialysis at home

Susan is 68 years old and requires renal dialysis. She has had her condition for two years, which satisfies the backwards test. Susan does not have any other needs or conditions that the case manager needs to consider when making a determination.

Susan will often be supervised by her partner when undergoing treatment. The case manager does not need to ask Susan to demonstrate that her partner is present during her treatment to make a determination. Susan receives treatment three times a week, and each session lasts around four hours. Susan generally receives her treatment in the morning.

As Susan receives dialysis treatment at home, rather than in an NHS hospital assisted by a hospital member of staff, Susan has satisfied the daytime condition and is entitled to the lower rate of PADP.

Attendance or supervision required during dialysis

23. 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.
24. The case manager should assume that an individual applying for, or receiving, PADP has a need for attendance or supervision in relation to renal dialysis without requiring further supporting information.

Example: an individual requires supervision during dialysis

Fiona is 70 years old and receives haemodialysis treatment in her home every Monday, Wednesday and Friday. She is accompanied by her son during dialysis.

At the time of her PADP application, she had her kidney condition for a year, and therefore satisfies the backwards test. Fiona's dialysis normally takes around four hours. Fiona's son sets up the dialysis and makes sure she is comfortable. Most days, Fiona's son will check to see how she is coping several times during treatment. After the dialysis is completed, Fiona's son turns off the machine and helps her get up.

Fiona is entitled to the lower rate of PADP due to her dialysis. The case manager does not need to ask Fiona to demonstrate that her son is present during her treatment to make a determination of entitlement.

Daytime or night-time condition

25. References to 'day' and 'night' do not relate to specific times of the day. Instead, they are based on the ordinary domestic routine of the individual's household.¹ For more information, see the PADP – Definitions chapter.

1 PADP regs, reg 2

26. Where an individual undergoes renal dialysis by day and night, they can only satisfy either the daytime or night-time condition, not both¹.

1 PADP regs, reg. 7(1)(c)

27. This means that individuals receiving PADP due to the rules for renal dialysis are only eligible to receive the lower rate of PADP.
28. However, where an individual satisfies the rules for renal dialysis and also has other needs due to another condition, the case manager should consider this condition when making a determination of entitlement. This is set out in more detail in the 'Dialysis and other needs' section of this chapter.

Example: an individual receives renal dialysis during the day

Elizabeth is 82 years old and starts her haemodialysis when she goes to bed around 6pm. Her husband sets up the dialysis and stays with her until she is settled. The haemodialysis lasts approximately four hours.

Her husband checks in with her from time to time until the dialysis has ended, which generally is around 10pm. Afterwards, he:

- helps Elizabeth use the bathroom if she needs it, as she tends to feel dizzy after dialysis and could hurt herself without support
- disconnects the tubes and cleans the dialysis machine, which takes him around 30 minutes
- goes to bed around 11pm

As Elizabeth's husband prepares and supervises the dialysis before he would normally go to bed, his night-time routine is not impacted by Elizabeth's treatment. Therefore, Elizabeth has satisfied the daytime condition and is entitled to the lower rate of PADP.

Example: an individual receives renal dialysis during the night

Murray is 87 years old and had been receiving haemodialysis during the day at his local hospital for over 2 years. However:

- Murray often felt distressed by having to attend the hospital
- he also required his partner, who is his carer, to drive him to and from the hospital

Murray therefore started to receive dialysis at home during the night. Murray's partner has been trained to assist him by the hospital. Murray's partner has made an application for PADP on his behalf. His partner has had to change their night-time routine to help Murray with his dialysis:

- Murray's partner sets up the dialysis once Murray is in bed, usually around 9pm
- Murray's partner will stay with him until he is asleep, usually around 9.30pm
- Murray's partner checks in on him during the dialysis, which takes approximately four hours
- once Murray's dialysis has finished, his partner will clean and put away the machine and tend to Murray, such as helping him to get to the toilet

Murray's partner now goes to bed around 1.30am once they have finished tending to Murray. The case manager decides that Murray's dialysis satisfies the night-time condition. Murray is entitled to the lower rate of PADP because:

- Murray's partner provides attendance and supervision when administering Murray's dialysis
- the majority of Murray's dialysis treatment therefore takes place after the household bedtime.

Dialysis and other needs

29. An individual receiving renal dialysis who also has other needs due to a different disability or health condition is entitled to the lower rate of PADP in either of these circumstances:

- they satisfy the daytime condition through the rules for renal dialysis, and their other needs also satisfy the daytime condition

or

- they satisfy the night-time condition through the rules for renal dialysis, and their other needs also satisfy the night-time condition.

30. An individual receiving renal dialysis who also has other needs due to a different disability or health condition is entitled to the higher rate of PADP in either of these circumstances:

- they satisfy the daytime condition through the rules for renal dialysis, but also satisfy the night-time condition due to their other needs

or

- they satisfy the night-time condition through the rules for renal dialysis, but also satisfy the daytime condition due to their other needs.

31. A case manager may need further input on the impact of other disabilities or health conditions on an individual who is receiving renal dialysis. In these circumstances, a case manager should seek advice from a practitioner through a case discussion.

Example: an individual has other needs in addition to renal dialysis but is still entitled to the lower rate of PADP

George is 72 years old and receives renal dialysis during the day, which satisfies the daytime condition for PADP.

George also has diabetes. He requires frequent attention during the day to help manage his condition, as he is unable to administer insulin or monitor his blood sugar levels independently. Due to his condition, George requires frequent use of the

toilet, and needs help to get to the bathroom. George often experiences hypoglycaemia, meaning he has low blood sugar levels. He requires his partner to give him something to eat or drink. George regularly becomes dizzy and disorientated. Therefore, his partner tends to supervise him to avoid injury. George's partner has to provide reassurance to George when his symptoms improve.

The case manager determines that George satisfies the lower rate of PADP. This is because George has:

- satisfied the daytime condition under the rules for renal dialysis
- satisfied the daytime condition as he requires frequent attention and continual supervision throughout the day.

Example: an individual has other needs in addition to renal dialysis and is entitled to the higher rate of PADP

Andrea is 68 years old and receives renal dialysis during her household bedtime. Andrea's dialysis has satisfied the night-time condition.

Andrea also has Huntington's disease. During the day, Andrea has difficulty concentrating and often has periods of memory lapses. She tends to stumble often, and regularly experiences tremors. Andrea's symptoms cause her to struggle with safety when reaching the bathroom, and she often feels disorientated when bathing. Andrea's husband needs to watch her closely due to this.

The case manager determines that Andrea is entitled to the higher rate of PADP. This is because Andrea has:

- satisfied the night-time condition under the rules for renal dialysis
- satisfied the daytime condition as she requires continual supervision throughout the day.

[END OF CHAPTER]