

# LSS –the Law regulating Support and Service to Persons with Certain Functional Disabilities– in brief

LSS (1993:387) is an entitlement law and entails supplementary support for persons with significant and long-term functional disabilities.

The law applies to:

1. Persons with intellectual disabilities and people with autism or conditions similar to autism.
2. Persons with significant and permanent intellectual functional disabilities following brain damage as an adult.
3. Persons, who as a result of other serious and permanent functional disabilities, which are clearly not the result of normal ageing, have considerable difficulties in everyday life and great need of support or service.

Any person included in one of these groups can apply for assistance. An individual assessment of the need is made for each form of assistance applied for.

## **The ten forms of assistance in accordance with Clause 9 of LSS**

**1. Advice and other personal support** to ensure persons with functional disabilities and their relatives access to professional, co-ordinated and permanent assistance from several areas of competence.

The expert support shall aim to produce good living conditions and to prevent and reduce the effects of the functional disability. The assistance shall be of an advisory and generally supportive character. Medical, psychological, social and educational aspects of the functional disability shall be taken into account.

**2. Personal assistance** for persons who have considerable need of personally designed care in everyday life. The need may relate to help with dressing, managing hygiene, eating or communication with others.

**3. Companion service** for persons who need help to get out to leisure or cultural activities, or to participate in social life otherwise.

**4. Contact person** - another human being who gives personal support and functions as a friend.

**5. Relief service**, which means that a person comes to the family home in order to take care of the person with functional disabilities.

**6. Short-term stays away from home** to provide persons with functional disabilities with recreation and a change of scene, and to give relief to relations. The assistance can be in form of a short-term home, with a family or at a camp or similar.

**7. Short-term care for school children over 12** – care before and after the school day and during school holidays for school children over 12 years old with functional disabilities. The operation can be integrated with after-school clubs, be done in special groups or based on personal needs.

**8. Living in family homes or housing with special services for children and young people.** As a complement to, or to replace the family home, children and young people can live with another family or in housing with special services.

**9. Housing with special services for adults or other specially adapted housing for adults** – can be specially adapted housing, service housing or group housing.

**10. Daily activities** (for persons with intellectual disabilities, autism or functional disabilities following brain damage as an adult, Groups 1 and 2 as above). The operation can be carried out at a day centre or at another place of work.

In Stockholm County, the habilitation centres and county centres that exist within Habilitering & Hälsa are responsible for the assistance with advice and other personal support. Other assistance can be applied for from the Municipality. Compensation for personal assistance expenses are handled by the National Insurance Office.

### **Personal assistance**

The amendments which aim to improve the criteria for quality and security when personal assistance is given came into force on 1 January 2011. All assistance providers must apply for a licence from the National Board of Health and Welfare. Anyone employing their own assistants must submit a report to the National Board of Health and Welfare.

### **Entitlement to submit information verbally, Clause 8 a of LSS**

When a decision on assistance is to be made in accordance with Clause 9 of LSS, the person to whom the issue relates or the representative of this person will be entitled to submit information verbally at a meeting with the board which is to make decisions on the matter. He or she must be notified of this entitlement.

### **Individual plan, Clause 10 of LSS**

Any person granted assistance in accordance with LSS **must** be offered an individual plan in which assistance decided on and planned is accounted for. This plan will be compiled in consultation with him or her. Anyone who has been granted assistance shall be able to request compilation of a plan at any time, if this has not already taken place. The plan shall be reviewed on a continuous basis at least once a year.

### **Appeals, Clause 27 of LSS**

If you are not satisfied with an LSS decision, you can appeal against it to the Administrative Court. If your application is turned down, you will also receive information on how to appeal.

### **Greater emphasis on children as of 1 January 2011, Clauses 6a, 8 of LSS**

When actions relate to children, the best interests of the child must in particular be taken into account. When assistance is to be given to a child, the child must receive relevant information and be given the opportunity to put forward his or her opinions. Significance shall be attached to the opinions of the child depending on his or her age and level of maturity.

**The Swedish Health and Social Care Inspectorate (IVO) has oversight of all activities under the Swedish Act (1993:387) concerning Support and Service for Persons with Certain Functional Impairments (§ 25).**