

# Act concerning Support and Service for Persons with Certain Functional Impairments (LSS)

## What is LSS?

The Swedish Act concerning Support and Service for Persons with Certain Functional Impairments [*Lagen om stöd och service till vissa funktionshindrade*] (LSS) is an entitlement law that guarantees good living conditions for people with extensive and permanent functional impairment, ensuring that they receive the help they need in daily life and that they can influence the support and services they receive.

A request for support and service from an individual who meets the criteria for this Act shall first be evaluated to ascertain whether it is a measure that is regulated by this Act, because it can generally be assumed that such requests benefit the individual. Measures pursuant to this Act are only provided when the individual requests them.

## Who is entitled to measures pursuant to LSS?

To be entitled to measures pursuant to this Act, individuals must meet the criteria specified by the Act. They must need assistance in activities of daily living and their needs may not be met in any other way.

This Act applies to people who

1. have intellectual disabilities or autism, or who have a condition resembling autism
2. have considerable and permanent mental impairment following brain damage sustained as an adult, as a result of external force or physical illness
3. have some other lasting physical or mental impairment that is clearly not due to normal aging, if such impairments are substantial and cause considerable difficulties in daily life and consequently, an extensive need for support and service.

## Those who are qualify for measures pursuant to this Act are entitled to the following:

### 1. Advice and other personal support [*Rådgivning och annat personligt stöd*]

Individuals who qualify for measures pursuant to this Act may be entitled to support from experts who, in addition to their professional knowledge, also have special knowledge about what it is like to live with serious functional impairments. A social worker, psychologist, physical therapist, preschool adviser, speech therapist, occupational therapist, or dietitian can provide such support. Advice and support shall be a complement to and not a replacement for measures such as rehabilitation and social services.

### 2. Personal assistance [*Personlig assistans*]

Individuals with serious physical impairments who have not reached the age of 65 may be entitled to assistance from one or more personal assistants



To be entitled to personal assistance, the individual must need help with meals, personal hygiene, dressing and undressing, communicating with others, or need some other assistance that requires extensive knowledge of people with functional impairments. The municipality may provide assistance directly or the individual may obtain financial aid, in which case the individual acts as an employer and hires someone to provide assistance.

The municipality has full economic responsibility for anyone who needs assistance for fewer than twenty hours per week. If the requirement for personal assistance for basic needs exceeds twenty hours per week, the individual is entitled to an assistance benefit pursuant to a separate law, known as the Act concerning Compensation for Assistance [*Lagen om assistansersättning*] (LASS).

The local insurance office determines whether the applicant qualifies for the assistance benefit. The municipality is financially responsible for the first twenty hours following approval.

People with substantial functional impairment who are older than 65 must either have or have had personal assistance before the age of 65, or applied for personal assistance before the age of 65. However, such personal assistance may not be increased after the individual reaches the age of 65.

### **3. Companion Service [*Ledsagarservice*]**

Individuals who do not have personal assistance may be entitled to companion service. Companion service shall be personalized, tailored to meet the needs of the individual to have an active social life.

### **4. Contact Person [*Kontaktperson*]**

In order to reduce social isolation, assist in participation in leisure activities, and provide advice in daily situations, individuals may sometimes need help from a contact person, who can make it easier for the individual to live independently. Sometimes a family, known as a support family, can provide support.

### **5. Relief service in the home [*Avlösarservice i hemmet*]**

Relief service is available both as a regular service and for unexpected situations.

### **6. Short stay away from home [*Korttidsvistelse utanför det egna hemmet*]**

The purpose of a short stay away from home is to provide the individual with the opportunity for recreation and a change of environment while providing relief for relatives. A short stay can be arranged in a short-term home, with another family, or in some other way, such as at a camp.

### **7. Short period of supervision for schoolchildren over the age of 12**

*[Korttidstillsyn för skolungdom över 12 år]*

Schoolchildren over the age of 12 are entitled to supervision before and after school and during holidays. 3



## **8. Living arrangements in a family home or in a residence with special services for children and adolescents**

*[Boende i familjehem eller i bostad med särskild service för barn och ungdom]* Children and young people who cannot live with their parents may be entitled to live with another family or in a residence that provides special services. This should be a complement to the parental home both for the children who can live with their parents part of the time and for those who cannot live at home at all.

## **9. Residence with special services for adults or other specially adapted housing**

*[Boende med särskild service för vuxna eller annan särskilt anpassad bostad]* Residential arrangements may vary, but the most common forms are group housing *[gruppbostad]* and service housing *[servicebostad]*. The individual may also be entitled to a specially adapted home that is assigned by the municipality.

## **10. Daily activities *[Daglig verksamhet]***

Working age individuals who are not gainfully employed or studying are entitled to assistance participating in daily activities if they qualify for LSS pursuant to criteria 1 and 2.

## **Cost**

In principle, these special initiatives are free for the individual, with a few exceptions.

## **Individual plan *[Individuell plan]***

Anyone who has been granted an approved measure pursuant to this Act may request an individual plan that presents the approved and planned measures. This plan shall be formulated in consultation with the individual who is to receive support.

People with functional impairments who qualify for measures according to this Act may request to have an individual plan formulated and to participate in the formulation of this plan.

The individual shall have the opportunity to influence what will be included in the plan, who will be involved, and the opportunity to express any needs and requests. The plan shall also show how objectives will be achieved. The plan should include help coordinating all contacts.

The plan may include:

- Brief description of the entire family situation, the future (e.g. when school starts), etc.
- Current measures.
- Measures that are needed/will be needed.
- Measures that the family would like.
- What various involved parties (including the family) will do and when.
- What are the needs of the family? (Don't forget siblings!)
- How do we want to get help?

Just because information is included in the plan does not mean it has been approved. The plan shall be followed up, usually on an annual basis.



## Application

Each municipality has a separate LSS administrator or an assistance administrator who is responsible for LSS. Applications may be submitted in writing, though they may also be made orally during a meeting with the administrator. The person with the functional impairment is the applicant.

## More information

The Swedish Act (1993:387) concerning Support and Service for Persons with Certain Functional Impairments (LSS)

*[Lag (1993:387) om stöd och service till vissa funktionshindrade]*

Government bill (1992/93:159) concerning Support and Service for Persons with Certain Functional Impairments

*[Proposition (1992/93:159) om stöd och service till vissa funktionshindrade]*

