

Terminal illness

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For DWP purposes a person is regarded as being terminally ill if both of the following apply:

- at any time the person suffers from a progressive disease
- the person's death in consequence of that disease can reasonably be expected within 6 months

A claimant may supply a form DS1500. This is confirmation that they have a terminal illness with a life expectancy of up to 6 months.

Form DS1500 is completed by a doctor or other healthcare professional. It should contain details of:

- the diagnosis
- whether the patient is aware they are terminally ill
- if unaware, the name and address of the patient's representative who requested the DS1500
- current and proposed treatment
- brief details of clinical findings

It may not be clear if a DS1500 has been issued. This could result in a difficult conversation with the claimant who must be treated sensitively and with empathy. A DS1500 may be requested and be sent in by:

- the claimant
- the claimants representative
- a third party who is supporting the claimant such as a GP or McMillan

The claimant must never find out if a DS1500 has been requested or completed on their behalf by a GP or a third party. They must never find out about their condition or prognosis from DWP

If a claimant has been diagnosed with a terminal illness but has a prognosis of life expectancy longer than 6 months they will need for a Work Capability Assessment (WCA).

Where the claimant is physically or mentally unable to accept a Claimant Commitment (CC) and this is unlikely to change, or it would be unreasonable to

expect them to do so due their terminal illness, we will waive the requirement to accept a CC."

A claimant can be given LCWRA from Day 1 of the claim if the DS1500 is held. If the claimant doesn't have a DS1500 and has a prognosis of 6 months or less, they should contact their GP or other healthcare professional to obtain one.

If a DS1500 is not held Day 1 referral action should be taken. If a DS1500 is provided after the Day 1 referral has begun, it should be faxed to the Centre of Health and Disability Assessment (CHDA). An LCWRA decision can be made following a WCA.

If the claimant or their representative says the DS1500 has been sent to PIP/DLA/AA the member of staff must confirm this with PIP/DLA. Verification can either be:

- terminal illness marker
- verbal confirmation from a member of PIP/DLA staff

A DS1500 is acceptable medical evidence in its own right and does not need to be supported by a Statement of Fitness for work or any other form of medical evidence.

When the claimant makes their claim online and indicates they have a terminal illness, they can request a call back to discuss their terminal illness. This may include explaining about a DS1500, and the WCA process. If the claimant has not finished completing their claim on line they may require further support with it.

The claimant may, however, decide that they want to complete their online claim themselves.

There may be an increase in the amount payable as a result of a DS1500 being returned and the claimant may not know the form has been sent. The terminal illness or prognosis must not be disclosed as the reason for the increase. Instead the explanation could be an increase in their payment has happened due to the severity of their health condition.

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