

Regulation

of the Minister of Labour, Social Affairs and Consumer Protection on the assessment of the need for care of children and young people in accordance with the Federal Long-term Care Benefit Act (Regulation on the Assessment of Children in accordance with the Federal Long-term Care Benefit Act – Kinder-EinstV)

Publishing information

Media owner and publisher:

Federal Ministry of Social Affairs, Health, Care and Consumer Protection
Stubenring 1, 1010 Vienna, Austria

Publishing and production location:

Vienna, 2020

In accordance with Section 4 of the Federal Long-term Care Benefit Act (BPGG), Federal Law Gazette I no. 110/1993, last amended by the Federal Act FLG I no. 12/2015, the following is decreed:

Area of application and natural need for care

Section 1. (1) This regulation shall be used for the assessment of the need for care of children and young people up to their 15th birthday in the meaning of Section 4 para. 1 of the Federal Long-term Care Benefit Act (BPGG), FLG. No. 110/1993.

(2) In the case of children and young people up to their 15th birthday, the natural level of care required (in relation to their age and development) in terms of support and help which is also present in non-disabled children and young people of the same age shall be deducted as laid down in Section 4 para. 1 BPGG.

(3) The respective natural need for care as laid down in para. 2 is a fixed amount of time and only applies until the child or young person has reached the respective age given below. For the following care measures in Section 3, until or from the listed age limits, the natural need for care as a fixed amount of time per day is set as follows:

Natural need for care:	Amount of time per day:
1. Dressing and undressing of children up to their fifth birthday	2 units of 20 minutes each
2. Mobility support in a narrower sense until the age of 18 months	1 hour
3. Daily personal hygiene up to their seventh birthday	2 units of 25 minutes each
4.a) Preparation of meals up to their twelfth birthday b) Preparation of meals from the age of 12	1 hour 40 minutes
5. Help with eating meals up to their third birthday	1 hour
6. Going to the toilet up to their fourth birthday	1 hour

(4) The natural need for care listed in para. 3 for getting dressed and undressed, mobility support in a narrower sense, daily personal hygiene, the preparation of meals and help with eating meals has already been deducted in the amounts of time listed in Section 3.

Age limits

Section 2. The age limits given in this regulation lay down the moment in time when a non-disabled child or young person might be expected to carry out individual tasks independently. When the respective ages set here are reached, it can be assumed that a non-disabled child or non-disabled young person of this age will be able to carry out individual tasks without help.

Care

Section 3. (1) Care is understood as all necessary tasks that are largely related to personal needs and which are carried out by other persons in relatively short succession, and without which the child or young person in need of care would be in danger of becoming neglected.

(2) In addition to the tasks mentioned in para.1, they also include the following: getting dressed and undressing, help with personal hygiene, the preparation and eating of meals, going to the toilet, taking medication, and mobility support in a narrower sense.

(3) When setting the time needed for care, the following reference figures for one day should be assumed from the ages given below, or until the respective age is reached, or independently of the child/young person's age:

Time needed for care provision:	Reference figure per day:
1.a) Dressing and undressing of children up to their fifth birthday given aggravated functional conditions	2 units of 10 minutes each
b) Dressing and undressing of children from their fifth birthday given aggravated functional limitations	
c) Dressing and undressing from their fifth birthday	2 units of 30 minutes each
d) Dressing and undressing of the upper or the lower body from their fifth birthday onwards	2 units of 20 minutes each
	2 units of 10 minutes each
2. Putting on or taking off orthopaedic shoes (independently of age)	2 units of 5 minutes each
3. Cleaning up in the case of incontinence from their fourth birthday	40 minutes

4. Cleaning them up after going to the toilet from their fourth birthday, if they can otherwise go to the toilet themselves	10 minutes
5. Care measures in the case of nightly bedwetting from their fourth birthday	10 minutes
6. Taking medication (regardless of age) (also in the case of administration with a tube)	6 minutes
7. Subcutaneous injections (regardless of age)	10 minutes
8. Taking medication via a dry powder inhaler or metered-dose inhaler (regardless of age)	10 minutes
9. Catheter care (regardless of age)	10 minutes
10. Stoma care (regardless of age)	15 minutes
11. Care of cannulas or tubes (regardless of age)	10 minutes
12. Mobility support in a narrower sense:	
a) Positioning of children up to the age of 18 months given aggravated functional limitations	1 hour
b) No targeted movement possible by means of crawling/sliding from the age of 12 months until the age of 18 months	20 minutes
c) No unaided walking, but targeted movement possible by means of crawling/sliding from the age of 18 months	30 minutes
d) No unaided walking and no crawling/sliding possible from the age of 18 months	1 hour
e) Positioning measures in the case of aggravated functional limitations from the age of 18 months	1 hour
f) Support in the transition from one kind of movement to another from the age of 18 months in the case of independent movement within the home	2 hours
g) Support in overcoming steps within the home from the age of 18 months	20 minutes
h) Handling artificial limbs or orthotics (regardless of age)	10 minutes
	10 minutes
13. a) Other physical care up to their seventh birthday given aggravated functional limitations	5 minutes
b) Other physical care from their seventh birthday given aggravated functional limitations	20 minutes
c) Other physical care from the age of 7	10 minutes

(4) For the necessary help with feminine hygiene during menstruation, a reference figure of 3 hours per month should be assumed.

(5) For the care measures listed below, the reference times per task are set as follows:

Care measures:	Reference figure per day:
1. Steam inhalation (regardless of age)	10 minutes per inhalation
2. Micro-enemas (regardless of age)	10 minutes per administration
3. Enemas or colonic irrigation (regardless of age)	20 minutes per administration
4. Catheterisation (regardless of age)	10 minutes per administration

(6) For the tasks listed below, the minimum time requirements – in relation to one day – are set as follows:

Task:	Minimum time amounts:
1. a) Daily personal hygiene up to their seventh birthday given aggravated functional limitations	2 units of 10 minutes each
b) Daily personal hygiene from their seventh birthday given aggravated functional limitations	2 units of 35 minutes each
c) Daily personal hygiene from the age of 7 onwards	2 units of 25 minutes each
2. Help with the preparation of meals from the age of 12	20 minutes
3. Preparation of special diets (regardless of age)	1 hour
4. a) Eating meals up to the third birthday given aggravated functional limitations (also in the case of tube feeding)	30 minutes
b) Eating meals from the age of three given aggravated functional limitations (also in the case of tube feeding)	90 minutes
c) Eating meals from the age of three (also in the case of tube feeding)	1 hour
5. Going to the toilet from the age of four	1 hour

Divergences from these time allowances should only be taken into account when the actual time needed to provide care considerably exceeds these minimum figures. If these minimum times are significantly undercut, they should no longer be applied.

Assistance

Section 4 (1) Assistance covers deferrable tasks for other people which are related to practical matters and are necessary to ensure their livelihood.

(2) Assistance covers:

1. bringing food, medication and everyday necessary items;
2. cleaning the person's home and personal utensils;
3. taking care of their clothing and bedclothes;
4. heating the living areas as well as bringing fuel, and
5. mobility support in a broader sense.

(3) For every task carried out in accordance with para. 2, an amount of time of up to 50 hours – over a period of a month – can be assumed, whereby according to Section 4 para. 7 (3) BPGG the overall time taken for all assistance provided which can be taken into account is a maximum of 50 hours per month. The natural amount of care dependent on the age and development of the person according to Section 1 – except mobility support in a broader sense – is a fixed amount of time for each task of ten hours per month up to the person's 15th birthday. The natural amount of care for mobility support dependent on the age and development of the person according to Section 1 is a fixed amount of time of ten hours per month up to the person's seventh birthday.

Hearing aids

Section 5. For the necessary help with handling hearing aids, a reference figure of 20 minutes per day should be assumed regardless of the age of the child or young person.

Ventilators and suction devices

Section 6. For the necessary help with handling ventilators and suction devices, the following reference figures per task should be assumed regardless of the age of the child or young person:

Task:	Reference figures:
1. Handling a ventilator with a cannula	30 minutes per task
2. Handling a ventilator with a mask	15 minutes per task
3. Changing the oxygen bottle	10 minutes per task
4. Handling suction devices	5 minutes per task

Reference figures

Section 7. Divergences from the reference figures given in this regulation should only be accepted when the actual need for care diverges by around half of the reference figure.

Hardship supplement

Section 8. When determining the need for care in the case of severely disabled children and young people under the conditions imposed by Section 4 paras. 3 and 4 of the Federal Long-term Care Benefit Act (BPGG), the following fixed time amounts per month have to be taken into account as a hardship supplement:

Children and young people with severe disabilities	Additional fixed time amounts:
1. Up to their seventh birthday	50 hours
2. Children aged seven and over up to their 15th birthday	75 hours

References

Section 9. For the assessment of the care needs of children and young people, Sections 3-7 of the Assessment Regulation on the Federal Long-term Care Benefit Act, FLG II no. 37/1999, last amended by FLG II no. 453/2011, shall be applied.

Expert opinions

Section 10. The basis of the decision on the recognition and re-assessment of long-term care benefit should principally be formed by a medical report from a specialist in the field of paediatric and adolescent medicine, unless there is no specialist in this field available for making a report in the vicinity of the child or young person. A report by a qualified nurse, preferably with training in the field of the care of children and young people, can also form the basis for decisions on the re-assessment of long-term care benefit. If required, persons from other fields should be consulted to ensure a holistic assessment of the care situation, such as experts from special needs education, social work, psychology and psychotherapy.

Coming into effect

Section 11. (1) This regulation comes into effect on 1 September 2016 and should be applied to applications for or increases of long-term care benefit which are received from 1 September 2016.

(2) Due to the coming into force of this regulation, there shall be no change in the stage of long-term care benefit awarded if the need for care remains the same, regardless of Section 9 para. 4 BPGG.



**Federal Ministry of
Social Affairs, Health, Care
and Consumer Protection**
Stubenring 1, 1010 Vienna, Austria
+43 1 711 00-0
[sozialministerium.at](https://www.sozialministerium.at)