



ועידת התביעות
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Conference on Jewish Material Claims
Against Germany

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During the last few years the Claims Conference successfully negotiated for increased funding from the German government which provides funding for social welfare agencies worldwide. ***Even with this increase, the funding unfortunately is insufficient to meet the needs of survivors worldwide.***

Additionally, the Claims Conference and its grantee social welfare agencies worldwide are bound by strict contractual guidelines of the German government and must not exceed their available annual budget. ***While the German government has consistently increased its funding for social welfare services, and the Claims Conference continues to negotiate for increased funding and programs, it is clear that sufficient funds are not available to Grantee social welfare agencies to meet the maximum number of eligible homecare hours for all Jewish Nazi victims.***

Social welfare agencies that receive Claims Conference funds must use discretion to allocate the hours/services as appropriate, according to the relative needs of the agencies' entire caseload, as long as the maximum number of hours per client does not exceed those outlined below. Homecare is intended to provide care for vulnerable Jewish Nazi victims who reside in their homes. ***Claims Conference funding cannot be used while a client is in the hospital, long term rehabilitation facility, assisted living facility or nursing home¹.***

The outline below sets forth some of the criteria for eligibility for homecare. The criteria may be applied more restrictively by individual Grantee social welfare agencies — due to the availability of funds. Agencies may have insufficient funds and may not be able to serve all Jewish Nazi victims who require service. The criteria below are general in nature and are not comprehensive of all the rules and requirements of the homecare program².

Note: ***The information below cannot be, and should not be, relied upon as a guarantee to receive service. The decision on the provision of service is within the ambit of each Grantee social welfare agency. In addition, there is no entitlement to receive any service funded by the German government, Claims Conference or any particular social welfare agency. All services are humanitarian benefits and there is no legal right to any service or payment.***

CRITERIA FOR THE PROVISION OF HOMECARE SERVICES

Each client is deemed eligible for homecare hours based on several factors including the client's individual persecution history, the client's functionality, medical diagnosis, the amount of government-funded homecare hours that the client is eligible to receive, and his/her income and assets. Other criteria might be applicable, as well, from time to time, depending on the terms of a given contract between the German government and the Claims Conference.

*The rules set forth below are for countries **other than** Israel and the Central and Eastern Europe. In Central and Eastern Europe, all Jewish Nazi victims are presumed to meet the income and asset requirements. In addition, the number of allowable homecare hours for Jewish Nazi victims in Central and Eastern Europe are not dependent upon to the client's persecution experience. The number of hours will primarily be based on diagnostic and functional assessment, medical conditions and of course, funding available to the relevant agency. In Israel, the provision of homecare is supplemental to the services provided by Bituach Leumi and thus the criteria of that program is determinative.*

1. PERSECUTION

In accordance with German Government regulations, the maximum number of hours a Jewish Nazi victim can receive is capped by his/her persecution during the Shoah.

(a) Jewish Nazi victims who were in a concentration camp, in a ghetto, or for at least six months living in hiding or under a false identity **may be** eligible to receive up to 168 hours per household per week of homecare depending on the individual's medical diagnoses. The Claims Conference is currently negotiating with the German government regarding the types of medical conditions which would permit 168 hours per week. A Medical Assessment Form must be completed by a physician.

(b) Jewish Nazi victims who suffered persecution in French Morocco (forced residence or curfew) may receive up to 25 hours per week of homecare.

(c) Jewish Nazi victims who suffered other forms of persecution (except those described in (a) above or (b) below) may receive up to 56 hours per week of homecare.

In accordance with German Government rules, the Claims Conference must verify the persecution suffered by each applicant for services.

2. DIAGNOSTIC ASSESSMENT FORM/FUNCTIONAL ASSESSMENT

Agencies must complete an evaluation of each client's functionality in daily activities for all individual Jewish Nazi victims seeking homecare services under this program. To determine a client's level of functional capacity, the agency is required to use the Diagnostic Assessment Form approved by the German Government. The Diagnostic Assessment Form provides a numeric score that indicates the maximum number of hours that the client may obtain. However, the maximum number of hours is capped based on the type of persecution suffered by the Jewish Nazi victim. In addition, the maximum weekly hours are inclusive of government hours (see below). Further, the number of hours that will be provided will depend on the financial resources available to the agency. *Anyone receiving 40 hours or more of homecare per week is required to have a Medical Assessment Form completed by a physician.*

3. GOVERNMENT HOURS

Clients eligible for the maximum number of hours from publicly funded sources (including Pflegegeld nursing allowances from the Austrian government) are ineligible for additional homecare funded by the In-Home Services program. An agency cannot provide hours that a client would be eligible to receive from the government. If a client is eligible for government hours, the agency must reduce the amount of hours it provides to the client regardless of whether the client accepts the government hours. For example, a client who is eligible for 10 hours of homecare and is eligible to receive 8 hours from a government source can only receive 2 hours from the Claims Conference fund.

Agencies shall ensure that all available government/publicly funded homecare is applied for and/or accessed for each client where such services exist. Agencies cannot provide hours through Claims Conference funds in lieu of the client receiving hours from the government. The same applies to other services provided by the agency with Claims Conference funds such as assistance toward food, medical, or dental needs.

4. INCOME AND ASSET ELIGIBILITY

The German Government program is designed to assist financially vulnerable Jewish Nazi Victims. The income and asset limit for this program is similar to the income and asset eligibility for the Article 2 and CEE Funds and are detailed on the Claims Conference website. Eligibility for emergency assistance differs. Additionally, implementing agencies may make these requirements more restrictive in order to manage their annual budget.

Note: *All applications for homecare should be made to the local Grantee social service agency serving the Jewish Nazi victim. The Claims Conference does not intervene in decisions made by individual agencies. The Claims Conference cannot answer detailed questions on individual cases.*

1) There are some exceptions for subsidized units in Assisted Living Facilities as long as the service is not already provided. Please request the policy for more information.

2) There are also limits on the maximum annual value of services that can be obtained by an individual or by a couple residing together.