

# **Social Rehabilitation Modifications to the Home**

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# Policy

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## 1. Purpose

- 1.1 This policy provides guidance on administering eligibility for social rehabilitation related **modifications to the home** under the Veterans' Support Act 2014 (the Act). This document should be read together with the separate papers on:
- *Rehabilitation Services Eligibility*
  - *Rehabilitation Section of Your Plans*
  - *Social Rehabilitation*

## 2. Legislative Reference

- 2.1 The relevant legislation is the Act, sections 115, 120-124 and 212, and clauses 7, 12 -13 of Part 1 of Schedule 2.

## 3. Purpose of Modifications to the Home

- 3.1 The purpose of modifications to the home is to assist the veteran to live as independently as practicable, having regard to the limitations caused by his or her **accepted disability**.

*Clause 7, Part 1 of Schedule 2, Veterans' Support Act 2014*

## 4. Eligibility for Modifications to the Home

- 4.1 **See section 4 of separate paper on Social Rehabilitation.**

## 5. Applications for Modifications to the Home

- 5.1 The provision of modifications to the home will be decided on the basis of an independent needs assessment undertaken at the time of a veteran's application for an entitlement or for rehabilitation services (see separate paper on Rehabilitation Services Eligibility).
- 5.2 Certain "non-structural modifications" such as temporary ramping and handrails, half-steps, step entry into a shower box and repositioning of a shower hose and attachments may be considered under the Veterans' Independence Programme (**see separate paper on Veterans' Independence Programme**), either for purchase or hire whichever is the more cost-effective option.
- 5.3 "Structural modifications" which alter the internal or external structure of the house (such as widening doorways, adding a wet area or modifying an existing area, adding or removing walls, expanding room or adding a room, erecting a permanent external ramp and access pathways, kitchen modifications, including

alterations to bench heights and creating wheelchair facilities, covered access ways, transfer areas and second egresses) may be considered depending on the veteran's circumstances and needs at the time (e.g. whether or not the veteran's condition is likely to improve or whether it has stabilised and there is unlikely to be further improvement).

- 5.4 Depending on the circumstances, Veterans' Affairs may decide that re-location is the most cost-effective alternative to modification of the veteran's existing **home**. **Long-term residential care** may be a more suitable option depending on the veteran's expected rehabilitation outcome as provided by independent medical assessment. **Aids and appliances**/equipment may also be an option. Housing modifications will only be considered taking into account such other options.

*Clause 7, Part 1 of Schedule 2, Veterans' Support Act 2014*

- 5.5 Veterans may not start housing modifications without written Veterans' Affairs approval.

- 5.6 When deciding whether to provide or contribute to the cost of modifications to the home, Veterans' Affairs will, on the basis of needs assessment, consider:

- the rehabilitation outcome(s) that would be achieved by providing them
- the difficulties faced by the veteran in doing the following without the proposed modifications:
  - gaining access to their home
  - reasonable freedom of movement in their home
  - the ability to live independently in their home (not affected by whether the veteran lives with others)
- the likely duration of the veteran's residence in the home
- the cost, and the relevant benefit, to the veteran of the proposed modifications (including whether the proposed modifications serve the purpose of the veteran's social rehabilitation needs) (i.e. the veteran is likely to benefit from the modifications for at least six months)
- if the home is not owned by the veteran, whether the owner agrees to the modifications being done
- the likely cost of reasonable alternative living arrangements (i.e. instead of modifications whether the veteran should move to a home that does not require such extensive modification)
- the likely duration of the limitations arising from the injury or illness the veteran has entitlements for under the Veterans Support Act 2014.

*Clause 12(1), Part 1 of Schedule 2, Veterans' Support Act 2014*

- 5.7 In addition, as a matter of policy, Veterans' Affairs will consider:
- the DHB's or ACC's involvement and what they provided and recommended
  - whether the modification to the home is normally prescribed in New Zealand for the condition or as part of a treatment for a condition, with a view to a **rehabilitation outcome**
  - whether the modification sought would normally be undertaken given the costs and the type of property concerned (e.g. a veteran lives at the top of a hill up a 400 metres long path and applies for a ramp to cover this distance)
  - whether the modification sought is necessary, appropriate and of the quality required to achieve the rehabilitation outcome that is sought for the condition
  - whether appropriate therapeutic intervention was undertaken prior to the request for the modification to the home. As the process of normal recovery, ongoing rehabilitation, teaching of new methods or compensatory techniques, may eliminate the need for housing modification
  - if an aid or appliance might negate the need for the structural and non-structural modifications
  - the likelihood of rectifying the problems and issues faced by the veteran within the physical accommodation with the suggested modification to the home.

## 6. What Veterans' Affairs may fund

- 6.1 As a matter of policy, Veterans' Affairs will only consider the following structural and non-structural modifications if they meet the criteria set out in section 5 above:
- one ramp of less than five metres
  - temporary steps and rails
  - permanent steps and rails that are likely to be required for more than 6 months
  - access paths to the veteran's home where the veteran uses a wheelchair/mobility scooter/walking frame and a path is required to facilitate access to a vehicle (up to a maximum of \$1,000 contribution)
  - level access shower (top up of DHB or AEP/ACC up to a maximum of \$1,000)

- repositioning of shower hose
- stair lifts (contribution of up to \$1,000)
- widening doorways for wheelchairs or to allow for mobility equipment such as walking frames (only to critical areas, namely kitchen, bathroom, bedroom, access to home – up to a maximum of \$5,000)
- covered access ways (up to \$1,000).

6.2 Veterans' Affairs is responsible for making the preliminary assessment as to whether the proposed modifications serve the purpose of social rehabilitation and, if it considers the proposed modifications serve that purpose, meeting the costs of obtaining local authority approval.

*Clause 13(1), Part 1 of Schedule 2, Veterans' Support Act 2014*

6.3 Veterans' Affairs may use a previous assessment by DHB, AEP/ACC.

6.4 Veterans' Affairs only considers the most cost-effective modifications based on the use of standard materials in New Zealand for possible payment or contribution. The cost difference between standard materials and more expensive ones chosen by the veteran is the responsibility of the veteran or their family/whanau.

6.5 Veterans' Affairs will pay the invoice for approved work only. Any additional work that the veteran has requested will be the liability of the veteran and should be invoiced separately and directly to the veteran.

## 7. What Veterans' Affairs will not fund

7.1 Veterans' Affairs will not cover modifications to the home which have already been covered by AEP or ACC or another organisation.

7.2 The veteran is responsible for:

- obtaining the written consent to the modifications, to which Veterans' Affairs has given preliminary approval, from the owner of the home and any lessor or co-tenant or mortgagee
- obtaining any quotes required by Veterans' Affairs for the proposed modifications.

*Clause 13(2), Part 1 of Schedule 2 of the Veterans' Support Act 2014*

7.3 As a matter of policy Veterans' Affairs may obtain an independent quote for housing modifications.

7.4 Veterans' Affairs is **NOT**:

- required to be a contracting party at any stage of the modifications

- liable to the veteran or any other person for any liability arising from the carrying out of the modifications, other than for payment for those modifications Veterans' Affairs has approved
- liable to ensure that the veteran pays any person that undertakes the modifications or to pay that person directly, if the veteran does not pay
- responsible for the cost of insuring the modifications or the home in which the modifications have been installed
- required to replace any such modification if the veteran continues to reside in the home (i.e. all repairs and maintenance will be the responsibility of the veteran following the completion of the works)
- responsible for removing any modifications no longer required
- responsible for the cost of returning a home to its former state if the veteran no longer occupies it
- responsible for any loss of value of any home resulting from any modifications to, or removal of modifications from, the home
- required to provide or contribute to the costs of modifications to a home to which the veteran moves from the modified home, unless Veterans' Affairs has approved the costs of those modifications (as a matter of policy Veterans' Affairs will usually only pay for modifications once)
- required to repair or replace any home or modifications that are not insured and that are damaged.

*Clause 13(3), Part 1 of Schedule 2 of the Veterans' Support Act 2014*

#### 7.5 Veterans' Affairs will not cover:

- house extensions
- adding or removing interior or exterior walls
- fixed specialist furniture
- kitchen equipment
- leisure equipment
- home security systems
- intercom and Door Unlock Systems
- exterior decking
- external lighting.

7.6 Veterans must not initiate house modifications under the assumption that Veterans' Affairs will pay. Formal approval must be obtained in the first instance.

## 8. Veterans' Affairs obligations regarding recovery of payments

- 8.1 Veterans' Affairs will not recover any payment made to the veteran if the modifications are removed or are no longer required; or the veteran no longer occupies the home to which the modifications were made.

*Clause 13(4), Part 1 of Schedule 2 of the Veterans' Support Act 2014*

## 9. Arranging structural modifications

- 9.1 Key people involved in housing modifications are:
- the building advisor: an architect, draughtsperson or builder experienced in housing modifications for people with disabilities
  - the housing modification assessor: an occupational therapist experienced in housing modification for people with disabilities.
- 9.2 These people will work together with the veteran and the Rehabilitation Advisor to ensure that the home is modified to meet the veteran's illness/injury-related needs in the most practical and cost-effective way, should it be assessed as being required.
- 9.3 The assessor:
- identifies the veteran's service-related illness/injury-related functional limitations
  - outlines the effects of those limitations on the veteran within the home
  - provides the options to meet the veteran's illness/injury-related needs (e this may not necessarily be housing modifications)
- 9.4 If the assessor recommends housing modifications, they brief the Rehabilitation Advisor on what needs to be included in the plan to meet the veteran's needs.
- 9.5 The Rehabilitation Advisor seeks options to deliver the modifications.

## 10. Veterans Living Overseas

- 10.1 The modifications to the home policy applies equally to all New Zealand veterans, irrespective of their country of residence.

## 11. Reviews, Appeals and Complaints

- 11.1 If a veteran disagrees about a decision concerning eligibility for an entitlement or service **see separate policies on Reviews and Appeals**. If a veteran is



concerned about Veterans' Affairs' administration of an entitlement or service  
**see separate policy on Complaints.**

## Glossary

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### **accepted disability** [policy definition]

Means an injury, illness or condition that Veterans' Affairs accepts as being service-related.

### **aid or appliance** [clause 7 Schedule 2]

Means any item likely to assist in restoring a veteran to independence.

### **guardian** [section 7]

Has the same meaning as in section 15 of the Care of Children Act 2004.

### **home** [section 7]

- (a) means residential premises in which the veteran lives and that are owned, rented, or otherwise lawfully occupied by the veteran or the veteran's parent, guardian, spouse or partner; and
- (b) includes residential premises in which the veteran proposes to live after they are built and that will be owned, rented, or otherwise lawfully occupied by the veteran or the veteran's parent, guardian, spouse, or partner; and
- (c) includes any other premises in which the veteran lives and for which the veteran is solely responsible for home maintenance; but
- (d) does not include any hotel or motel, or any hospital, hostel, rest home, or other institution.

### **impairment** [section 7]

Means a loss or abnormality of psychological, physiological, or anatomical function or structure.

### **independence** [clause 7 Schedule 2]

Includes the capacity to function in the following areas:

- (a) communication
- (b) domestic activities
- (c) educational participation
- (d) financial management
- (e) health care
- (f) hygiene care
- (g) mobility
- (h) motivation
- (i) safety management
- (j) sexuality
- (k) cognitive tasks of daily living, such as orientation, planning, and task completion
- (l) use of transport.

### **long-term residential care** [section 7]

Has the same meaning as in section 11 of the Residential Care and Disability Support Services Act 2018.

### **member of the armed forces** [section 7]

Means a person who is or has been a member of the New Zealand armed force raised by the Governor-General on behalf of the Sovereign,—

- (a) whether in New Zealand or elsewhere; and
- (b) whether before or after the passing of this Act.

**modifications to the home** [clause 7 Schedule 2]

- (a) means alterations to a veteran's home that:
  - (i) have the purpose of assisting a veteran to live as independently as practicable, having regard to the limitations caused by his or her injury or illness; and
  - (ii) remove structural barriers or add features fixed to the home; and
- (b) includes real estate fees, legal fees, removal costs, and the costs of any modifications incurred in relocating a veteran to a new home, if VANZ decides that relocation is the most cost-effective alternative to modification of the veteran's existing home.

**partner** [section 7]

Means a civil union partner or a de facto partner.

**qualifying operational service** [section 8]

Means—

- (a) service in any deployment treated as a war or emergency for the purposes of the War Pensions Act 1954; or
- (b) service on any deployment declared to be operational service under section 9.

**qualifying routine service** [section 8]

Means service in the armed forces before 1 April 1974 that is not qualifying operational service.

**qualifying service** [section 8]

Means—

- (a) qualifying operational service; or
- (b) qualifying routine service.

**rehabilitation outcome** [clause 7 Schedule 2]

Means:

- (a) before an individual rehabilitation plan is agreed, a rehabilitation goal, objective, or result determined by Veterans' Affairs
- (b) if an individual rehabilitation plan is agreed, a goal, objective, or result specified in the plan.

**service-related** [section 7]

In relation to an injury, an illness, a condition, or a whole-person impairment, means an injury, an illness, or a whole-person impairment caused by, contributed to by, or aggravated by qualifying service.

**veteran** [section 7]

Means—

- (a) a member of the armed forces who took part in qualifying operational service at the direction of the New Zealand Government; or
- (aa) a member of the armed forces who took part in qualifying routine service before 1 April 1974; or
- (b) a person—

- (i) who has been—
  - (A) appointed as an employee of the Defence Force under section 61A of the Defence Act 1990; or
  - (B) seconded to the Defence Force with the permission of the Chief of Defence Force; and
- (ii) who took part in qualifying operational service at the direction of the New Zealand Government; or
- (c) a person who, immediately before the commencement of Part 3 of this Act, is eligible for a pension under the following provisions of the War Pensions Act 1954:
  - (i) section 19 (but only if the person was a member of the forces):
  - (ii) section 55 or 56:
  - (iii) Parts 4 and 5.