

# **DOTCOM: The Disability Online Tool of the Commission**

## **Sweden**

### **D. Independent living**

#### **D1. Choice of living arrangements**

There is no obligation for a disabled person to live in a particular arrangement. Policy aims to encourage and support persons with disabilities to live in the community, with self-determination and dignity, with choices equal to others, and to take their rightful place as children, parents and citizens. In Sweden there are several laws regulating the support that disabled persons can receive from society as different means of assistance for independent living. The Social Service Act of 2001 (SoL) is the baseline legislation for social services for all people in society, both with and without disabilities. Assistance under the SoL legislation must provide reasonable living conditions. The local authority conducts an individual review of the applicant's needs. These might include, for example, help in cleaning and washing, shopping, cooking or other personal care. The need for support or services is covered by the Act concerning Support and Service for Persons with Certain Functional Impairments of 1993. This Act provides ten different initiatives: advice and support, a companion service, assistance from a contact person, relief service at home, short-term stays outside home, short-term supervision for school pupils over 12 years of age outside home, foster homes or specially serviced housing for children and young people who need to live outside the parental home, specially serviced housing for adults or other specially adapted housing for adults and also daily activities for people of working age not in gainful employment and who are not receiving training and, finally, cash payments for personal assistance. The latter is possibly the most significant initiative, and is regulated for in separate legislation. The Assistance Benefits Act of 2010 (LASS), which has recently been incorporated in the Code of Social Insurance (Socialförsäkringsbalken SFS 2010:111, Chapter 51), regulates the possibility for persons with extensive assistive needs to employ personal assistants. Any person who needs more than 20 hours of assistance per week for their basic needs is entitled to Assistance Allowance under this Act. The Swedish Social Insurance Agency administers Assistance Allowance of this kind. The local municipality has responsibility for and administers personal assistance under 20 hours. The municipality has an obligation to provide financial support for reasonable costs for personal assistance for the portion not covered by the assistance allowance under the Code of Social Insurance. The individual can apply for personal assistance to the municipality or to the Swedish Social Insurance Agency. The municipality must notify the Social Insurance Agency if a person needs more than 20 hours of assistance per week for their basic needs.

#### **Links**

Social Service Act

<https://lagen.nu/2001:453>

Act concerning Support and Service for Persons with Certain Functional Impairments, the so called LSS (SFS 1993:387)

[http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Lag-1993387-om-stod-och-ser\\_sfs-1993-387/?bet=1993:387](http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Lag-1993387-om-stod-och-ser_sfs-1993-387/?bet=1993:387)

Code of Social Insurance (Socialförsäkringsbalken)

[http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Socialforsakringsbalk-201011\\_sfs-2010-110/?bet=2010:110](http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Socialforsakringsbalk-201011_sfs-2010-110/?bet=2010:110)

Social Insurance Agency (Försäkringskassan)

<http://www.forsakringskassan.se/omfk>

## **D2. De-institutionalisation**

De-institutionalization of people with intellectual disabilities began in the 1970s. Many moved from larger institutions to living in their own apartment in a group living scheme with support from professionals (gruppboende) and arranged activities. De-institutionalisation of psychiatric care during the 1990s placed an increased responsibility on local municipalities (kommuner) in caring for people with psychiatric disorders. When the 1995 psychiatric reform was evaluated in 1999, many positive effects were described but also serious shortcomings, for instance in influence and participation in planning various measures on part of people in the target group, lack of support and recognition of work carried out by relatives to persons in the target group and lack of support to children of persons in the target group and shortcomings in the expected support to persons in the target group via the Act concerning Support and Service for Persons with Certain Functional Impairments, the so called LSS (SFS 1993:387). The National Board of Health and Welfare (Socialstyrelsen) has recently presented a model for national monitoring and evaluating psychiatric care.

### **Links**

Evaluation of the Psychiatric Reform – Final Report

<http://www.socialstyrelsen.se/publikationer1999/1999-15-1>

Act concerning Support and Service for Persons with Certain Functional Impairments

[http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Lag-1993387-om-stod-och-ser\\_sfs-1993-387/](http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Lag-1993387-om-stod-och-ser_sfs-1993-387/)

Model for monitoring psychiatric care

<http://www.socialstyrelsen.se/Lists/Artikelkatalog/Attachments/18767/2012-6-44.pdf>

## **D3. Quality of social services**

Decisions regarding social services can be appealed to the administrative court. Local municipalities (kommuner) are responsible for giving care of good quality to people with disabilities. Some local and regional municipalities, for instance the Skåne Region, have developed criteria for good quality and have carried out evaluations based on this. Various questionnaires have to be answered by users and/or professionals about the quality of care, and are also used to elicit views in municipalities. Local municipalities are obligated to report to the National Board of Health and Welfare if a social service measure that has been decided on concerning a citizen is not implemented within three months. Citizens can also themselves report mistakes and shortcomings encountered within the health care system. In June 2013, the Health and Social Care Inspectorate was created as a new government agency to take over the supervisory activities of the National Board of Health and Welfare.

### **Links**

Health and Social Care Inspectorate

<https://www.ivo.se/om-ivo/other-languages/english/>

Act on support and service for certain individuals with disabilities

<https://lagen.nu/1993:387>

#### **D4. Provision of assistive devices at home**

Assistive devices are largely provided by the county councils and municipalities in accordance with the Health and Medical Services Act of 1982 (HSL). Under this Act, disabled persons usually obtain their assistive devices via healthcare and medical treatment or as assistive devices at work. The assistive devices needed are prescribed by a healthcare professional, typically an occupational therapist or a physician. Responsibility under HSL includes assistive devices for daily living, for care and treatment, and also personal assistive devices for school and education. Work assistive devices for people with a reduced working capacity are the responsibility of social insurance offices and employment agencies. At present, there is no right to claim any specific assistive aid or substantial influence over assistive aids, as is the case with personal assistance. In some parts of the country trials have been initiated to allow for a greater influence over the assistive aids by the user. The idea could be a similar solution with cash payments both for technical and human personal assistance. According to the Law on Grants for Housing Adaptation of 1992, municipalities approve grants for reasonable expenditure for the adaptation of housing accommodation to permit people with functional impairments to continue to live in their own homes. Housing adaptation is a common intervention to remove environmental barriers and to enhance daily activities of people with disabilities in Sweden.

#### **Links**

Health and Medical Services Act

[https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/halso--och-sjukvardslag\\_sfs-2017-30](https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/halso--och-sjukvardslag_sfs-2017-30)

Law on Grants for Housing Adaptation

[https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-19921574-om-bostadsanpassningsbidrag-m-m\\_sfs-1992-1574](https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-19921574-om-bostadsanpassningsbidrag-m-m_sfs-1992-1574)

#### **D5. Availability of personal assistance schemes**

The Act concerning Support and Service for Persons with Certain Functional Impairments of 1993 states that a person can obtain Assistance Allowance if he/she has substantial and lasting impairments and needs personal assistance to cope with their daily life. To obtain the allowance from the The Swedish Social Insurance Agency (Försäkringskassan) a person must need assistance with his/her basic needs such as washing, dressing, eating, communicating and moving about for more than 20 hours a week. Basic needs comprising less than 20 hours assistance are provided for by the local municipality. A person must also belong to one of the following three groups: persons with a cognitive impairments, autism or related disability; persons with a considerable and lasting impaired intelligence after brain damage in adult years caused by violence from an external source or physical illness; and persons with other lasting physical or intellectual disabilities, which are evidently not caused by normal ageing. If a person requires assistance with basic needs for an average of more than 20 hours a week, he/she may also be eligible for personal assistance for help with other activities in daily life, for example, cooking, shopping, taking part in leisure activities or working,

parenting etc. There is no lower age limit for obtaining Assistance Allowance and it is possible to continue receiving it after the age of 65 provided that it has been granted before that age. A person cannot obtain Assistance Allowance if he/she lives in group housing or is cared for in an institution. If there are special reasons, a person can, however, receive Assistance Allowance when he/she is cared for at a hospital for a shorter period. The amount of hours per week a person is granted is decided by an administrator at the Swedish Social Insurance Agency together with the user who estimates his/her assistive needs. Different certificates from medical or social professionals also provide a background to the decision. The government sets a standard amount for Assistance Allowance every year. A person may apply for a higher amount if he/she has special reasons; for example, if the user needs a specially trained assistant who requires a higher payment than the standard amount. The concept of personal assistance means personally designed assistance provided in different situations by a limited number of people, which aims to provide the individual with a greater opportunity to live an independent life. Users have control over how services are organised and may custom-design their services according to their individual needs; they may decide who is employed as a personal assistant and when and how aid should be given. A person can therefore employ one or more assistants, from an association or a co-operative with other disabled persons who employ several assistants, use a private company or the municipal assistant organisation. There is nothing to prevent a user from employing an additional assistant at the same time as he/she receives assistance through the municipality or another organisation; it is the number of hours per week that sets the limit. A person can also obtain Assistance Allowance if he/she decides to use a member of his/her own household as an assistant. The member of the household is then employed by the municipality or another assistance provider.

### **Links**

Act Concerning Support and Service for Persons with Certain Functional Impairments  
<https://lagen.nu/1993:387>

## **D6. Income maintenance**

A person is entitled to sickness benefits (for people aged 30-64) or activity support (for people aged 19-29) when they have at least 1/4 reduction in working capacity. This measure has replaced the early retirement pension. Entitlement to sickness benefits is provided when the person has a permanent reduction in work capacity and additional rehabilitation measures are not expected to lead to regained work capacity. The compensation from sickness benefit is based on previous earnings: 1) those with previous earnings, receive up to 64.7% of the average income in recent years, with a limit of SEK 18,399 per month before tax (in 2018); and 2) those with no or low previous earnings receive a guaranteed compensation of at least SEK 9,593 per month before tax. Entitlement to activity support requires a reduction in work capacity, which is expected to persist for at least one year. A student who, because of disability, has not yet completed his schooling at the primary and secondary levels, is entitled to activity support only when he or she completes schooling. During the period with activity support those who are expected to have capacity should participate in activities which are likely to enhance work capacity. Special allowances can be paid for the costs arising from these activities. The compensation from the activity support is based on previous earnings. Those with previous earnings receive 64.7% of the average income in

recent years, up to SEK 18,399 before taxes per month. Those who have no or low previous earnings receive guaranteed compensation. The level of the compensation is then based on age, from 8,455 SEK before tax per month for persons of 19 years old, and to SEK 9,403 before tax per month for those who are 29 years old.

### Links

Social Insurance Act

[http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Socialforsakringsbalk-201011\\_sfs-2010-110/?bet=2010:110](http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Socialforsakringsbalk-201011_sfs-2010-110/?bet=2010:110)

Social Insurance Agency

<https://www.forsakringskassan.se/privatpers/funktionsnedsattning/aktivitetsersattning-och-sjukersattning>

Compensation amounts 2018 (The social insurance agency)

<https://www.forsakringskassan.se/wps/wcm/connect/feee7b5d-4519-4001-869f-30366f3ad737/293-aktuella-belopp-2018-07.pdf?MOD=AJPERES&CVID=>

## D7. Additional costs

People with impairment and disability can apply for a tax-free benefit to cover specific additional costs of living with impairment and disability (handikappersättning) according to chapter 50 in the Code of Social Insurance. Onset of impairment/disability has to have occurred before 65 years of age (the standard retirement age) but the benefit can then be kept after the age of 65. If the pension does not cover basic needs, the person may apply for support according to chapter 50 in the Code of Social Insurance. The municipality makes the decision about the support, and the amount should guarantee reasonable living conditions. The amount is not fixed but related to the needs of the individual person. Decisions regarding support can be appealed against to the administrative court.

### Links

Code of Social Insurance

[http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Socialforsakringsbalk-201011\\_sfs-2010-110/?bet=2010:110](http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Socialforsakringsbalk-201011_sfs-2010-110/?bet=2010:110)

## D8. Retirement income

If the sickness- or activity benefit does not cover basic needs a person is, according to Ch 4 Sec 3 in the Social Service Act of 2001, entitled to support (försörjningsstöd). The municipality makes the decision about supply of support, and the amount should guarantee reasonable living conditions. The amount is not fixed but related to the needs of the individual person. Decisions regarding support can be appealed against to the administrative court

People with low or no workrelated pension are entitled to a basic old age pension (garantipension) from the age of 65. People with impairment and disability can apply for a tax-free benefit to cover specific additional costs of living with impairment and disability (handikappersättning). Onset of impairment/disability has to have occurred before 65 years

of age (the standard retirement age) but the benefit can then be kept after the age of 65. A person 65 years of age or more is also entitled to a form of economic support for elderly (äldreförsörjningsstöd) if her/his pension does not cover basic needs according to Code of Social Insurance (Socialförsäkringsbalken).

### **Links**

Code of Social Insurance

[http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Socialforsakringsbalk-201011\\_sfs-2010-110/?bet=2010:110](http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Socialforsakringsbalk-201011_sfs-2010-110/?bet=2010:110)

Social Service Act

<https://lagen.nu/2001:453#K4>