



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Feidhmeannacht na Seirbhíse Sláinte
Rannóg na nGnóthaí Parlaiminteacha
Oifig an Ard-Stiúrthóra
Bloc D,
Ionad Gnó Gheata na Páirce
Sráid Gheata na Páirce
Baile Átha Cliath 8 / D08 YFF1
Teil: (01) 635 2505
Rphost: pad@hse.ie

Health Service Executive
Parliamentary Affairs Division
Office of the Director General
Block D,
Parkgate Business Centre
Parkgate Street
Dublin 8 / D08 YFF1
Tel: (01) 635 2505
Email: pad@hse.ie

18th December 2017

Ms. Margaret Falsey,
Committee Secretariat,
Committee of Public Accounts,
Leinster House,
Dublin 2.

Dear Ms. Falsey,

I refer to recent correspondence from the Committee to Mr. Tony O'Brien, Director General in respect of follow up issues from our attendance at the Committee regarding specific matters related to HSE commissioned Deloitte report on the cost of care incurred by the service provider in the Grace case.

I attach below for the attention of the Committee members responses to queries raised.

1. ***A note on the data inputs used to form the table which was included in the draft Deloitte report but removed from the final report.***

Response:

It is the HSE's understanding that the Service Provider provided the data to Deloitte that formed this table. The HSE is unable to provide any comment on the basis of the data inputs to the table.

The HSE is aware that Deloitte's have corresponded with the Committee re the table mentioned above.

2. ***A note on High Court cases similar to "Grace" to include***
 - ***The number of any similar cases and the stage that they are at in the system. Whether provision has been made for such cases within the HSE or State Claims Agency.***

Response:

The State Claims Agency (SCA) is an independent agency, created by statute for the purposes of managing claims against those State Agencies as is provided for within the Act.

Following the previous PAC meeting the HSE consulted with the State Claims Agency (SCA) regarding query 2 and query 3.

With regard to query 2 above, the SCA has advised us that they are currently managing two similar cases to 'Grace' and both these two cases are at the early stage of litigation.

In relation to provision for claims, awards paid to claimants under the terms of state indemnity are accounted for on a "pay as you go" basis and the Accounting Policies of the HSE note this and full disclosure is made in the notes to the accounts of the estimated total provision at the yearend date.

3. A note on any payments similar to the "Grace" figure of €600,000 that has been made to other organisations that provides services similar to those of the Service Provider in the Grace case.

Response:

The SCA has advised us that no payments similar to 'Grace' have been paid in any other case handled by them. As it does not manage claims taken against it, the HSE is dealing with no such cases.

4. A copy of all correspondence, including emails, between Deloitte and the HSE regarding the review and final report.

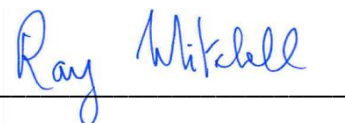
Response:

The HSE undertook a search and retrieval of correspondence, specifically within the terms of the request as set out above. That is: requesting all correspondence, including emails, that issued from HSE staff to Deloitte's and all received from Deloitte's to HSE specific to the review and final report - 'Independent review of the cost of care incurred by a service provider', with all said correspondence now attached. Cognizance has been taken in relation to data protection and the relevant Sections of the Protected Disclosures Act 2014 and hence the provider's name has been redacted throughout. Great Care has been taken to redact the name of the Service Provider throughout all of the documentation. In the event that this has been missed in any part of the documentation, the HSE suggests respectfully that the PAC satisfies itself that the Service Provider's identity is not evident, should it decide to pass on the documents to any third party.

Also it is noted that Deloitte's, as owners of draft reports, has clearly stated that it cannot provide any draft reports. Hence where an email had a draft report as an attachment that email is within the attached correspondence but the draft report is not included.

If any further information is required please do not hesitate to contact me.

Yours sincerely,



Ray Mitchell
Assistant National Director
Parliamentary Affairs Division