

## DATE TREATMENT

**Scope of the discussion below: deciding how to treat dates needed to calculate the core claims of living (and estates of) directly infected people who have received IBSS support scheme payments.**

**Not in scope: deciding how to treat dates needed to prove eligibility, or needed for calculations of affected, supplemental or further compensation claims.**

To calculate claims, we must identify dates for **infection**, for **changes in severity levels** (for Hepatitis only), and for **diagnosis** (for HIV only).

We have identified a hierarchy of principles that can be used to ensure consistency across the different dating decisions that emerge:

- 1) **We don't pay people amounts to which the evidence tells us they are not entitled.** The evidence for a particular date may not exist, but if the evidence does show a specific date *could not have been* the infection date, then we won't use it. We always do our due diligence and look for evidence - recognising that the effectiveness of our due diligence will increase over time.
- 2) **We won't unpick IBSS eligibility decisions** - if the IBSS accepted an infection year outside of the liability windows outlined in the legislation (but inside the known incidence windows), then we will accept it (with some enhanced due diligence, see (1));

- 3) 

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- 4) **For people who have not received support scheme payments, we will not accept an infection start date earlier than the start of the liability window for that infection.**

- 5) 

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- 6) 

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## Definitions

Liability window

Incidence window

One year

For living infected, we work with whole years. We implicitly using 01/01/YYYY as the start date even where DD/MM/YYYY is available.

One month

For estates, we count whole years backwards from year of death.

To calculate the care award of those at Level 4 Hepatitis, and those with HIV, who died within 2 years of being infected, we need to be able to operate with periods of 6 months - and so for this subset of the population we should ask for a precise infection date if it is available.

For this purpose of this calculation, "one month" is one calendar month (as per the Interpretation Act) - e.g. from 15th June to 15th July. Rule (3) above

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