

臺灣長期照顧服務 之回顧及展望 —以長照政策與立法 的互動為核心

Comments on the 10 Years' Transition
of Proceedings in the Vaccine Injury
Compensation— From Desperation to Justice

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摘要

當臺灣進入超高齡社會時，長照需求勢必增加，對此現象則需透過長照政策加以因應，並藉由長照立法形成制度，對人民的健康照顧權給予保障。

本文從長照政策與立法的互動之角度，首先說明臺灣長照政策形成的背景，繼而說明長照10年計畫1.0、長照2.0和行政院宣示2026年開始啟動長照3.0政策之發展，以及長期照顧服務法及長期照顧保險法草案所謂「長照雙法」的立法過程、長期照顧服務法之制定與三次修法重點。繼而介紹現行長期照顧服務申請及給付辦法所規定之長照給付內容，包括對照顧等級2至

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8之照顧需要者個人的服務給付，例如照顧及專業服務、交通接送、輔具及居家無障礙環境改善服務、對於家庭照顧者所提供喘息服務，以及目前衛福部試辦之給付方案，例如住宿型機構住民補助方案、失智症防治照護、出院準備與長照的銜接、居家失能個案家庭醫師照護方案，以及減少機構住民至醫療機構就醫方案。最後介紹長照3.0願景所規劃之7個主軸，以及說明未來長照可能面臨的挑戰。

When Taiwan becomes a super-aged society, the demand for long term care inevitably increases. In order to protect the people's right of receiving health care, long-term care policy and relevant legislation framework should address this phenomenon. From the perspective of the interaction between long-term care policy and legislation, this paper firstly explains the background of the formation of Taiwan's long-term care policy. This paper then introduces the development of Ten-year Long-term Care Plans, including 1.0, 2.0, and 3.0, which will start from 2026 according to the announcement of the Executive Yuan. This paper then addresses legislative process of the so-called "Dual Acts of Long-term Care", which includes Long-term Care Services Act and the Long-term Care Insurance Act Draft. This paper thirdly introduces contents of long-term care benefits as stipulated in current long-term care service application and benefit regulations, including benefits for individuals with care needs at care levels 2 to 8. The benefits include care and professional services, transportation, devices and home accessibility improvement services, and respite services for family caregivers, as well as the benefit programs currently being piloted by the Ministry of Health and Welfare. Such benefit programs include subsidy programs for residents who live in nursing homes, Dementia prevention, interface

service between hospital discharge and long-term care, family doctor programs for home visit, and programs for reducing the number of residents of nursing homes going to hospital. Lastly, this paper introduces seven pillars of the Ten-year Long-Term Care Plan 3.0 vision and discusses the challenges that long-term care may encounter in the future.

壹、前言

在高齡化人口帶來長照需求增加的情境下，臺灣自1998年老人長期照顧3年計畫通過並開始實施後，直至今日，長照政策與立法成為重要的社會政策與立法主題，尤其2025年進入超高齡社會後，長照幾乎成為與生活不可分離的議題。當大家對「長照1.0」、「長照2.0」、「長照3.0」朗朗上口時，其內容究何所指？與之呼應的立法和修法又為何？

當長照1.0實施的同時，立法院通過長期照顧服務法（下稱長服法）的立法，政府同時也草擬與長照給付與支付相關的長期照顧保險法草案（下稱長保法草案）。然不同執政團隊有不同的長照政策理念，當長照1.0政策實施10年之後，政府以該政策實施經驗和籌畫長保法草案期間所累積之資源為基礎，推動長照2.0政策。此期間最重要的長照立法，莫過於長服法，該法訂定的初衷是與長保法共列為長照雙法，一為長照機構與長照人員之管理；一為長照給付與支付，依循醫療法與健保法之路徑；但此規劃改變後，在推動長照2.0政策的同時，透過長服法的修法，將長照財源及長照給付與支付法制化，成為後來的長照政策與立法新路徑。

本文首先回顧長照政策與重要長照法制之發展，繼而說明現行長照給付內容，最後從目前衛生福利部（下稱衛福部）所擬之長照3.0願景，介紹該7個主軸與未來長照可能面臨的