

I. GENERAL PROVISIONS

HEAD OF STATE

21205 *Royal Decree-Law 11/2025, of October 21, which establishes measures to strengthen the System for Autonomy and Care for Dependency and to comply with the obligations set forth in Law 3/2024, of October 30, to improve the quality of life of people with Amyotrophic Lateral Sclerosis and other highly complex and irreversible diseases or conditions.*

I

Law 3/2024, of October 30, aimed at improving the quality of life of people with Amyotrophic Lateral Sclerosis (ALS) and other highly complex and irreversible diseases or conditions, has as its primary objective to improve both the quality of life and the access to specialized services for individuals affected by these conditions, which are characterized by the absence of a specific curative treatment, the short survival time from the moment of diagnosis, the rapid progression toward a high level of disability and dependency, and the need to integrate complex healthcare and social care.

To fulfill this purpose, the Law includes the development of a series of legislative amendments designed to guarantee better quality of life by streamlining the administrative procedures for the recognition of disability and dependency. Likewise, its fourth additional provision mandates the adaptation of certain services provided for in Law 39/2006, of December 14, on the Promotion of Personal Autonomy and Care for people in situations of dependency, to the needs of patients with ALS or other highly complex and irreversible diseases or conditions.

This adaptation must meet two characteristics set out in the fourth additional provision itself. The first is the adaptation of services provided through personal assistance benefits and the home help service of the System for the Promotion of Personal Autonomy and Care for Dependency (hereinafter, SAAD) to the needs of the people covered under Law 3/2024, of October 30, ensuring a public guarantee of specialized continuous 24-hour supervision and care to prevent avoidable death in individuals diagnosed with ALS or other highly complex and irreversible diseases or conditions in those advanced phases of the disease that lead to complete dependency for basic activities of daily living, as well as instrumental and personal assistance due to respiratory problems and dysphagia. The second characteristic is that the rights, benefits, and resources of a social nature must be financed in accordance with Articles 9, 10, and 32 of Law 39/2006, of December 14.

II

For its part, the System for Autonomy and Care for Dependency (SAAD) has only eighteen years of development, although during this period it experienced a significant stagnation due to the funding cuts it suffered during its growth and consolidation phase. This setback is being reversed thanks to a sustained effort through the Shock Plan promoted by the Government between 2021 and 2023, approved by the Territorial Council of Social Services and the System for Autonomy and Care for Dependency on January 15, 2021, through which the

dependency budget was increased by 600 million euros annually, reaching an increase in the State Administration's contribution of 3.6 billion euros more compared to the year 2021. After the conclusion of the Shock Plan, the annual contribution of the General State Administration in 2024 was 3.478 billion euros, a figure that has had a positive effect on reducing the waiting list and improving the quality of care.

In this way, the increase in funding resulting from the Shock Plan has made it possible to expand coverage as well as improve the quality of care. Between December 31, 2020, and September 30, 2025, the number of people with an Individual Care Program (an effective PIA, meaning with recognized benefits) increased by more than 43%, and the number of people on the waiting list across Spain decreased during this same period by more than 40% (-41.8%). In the last five years, the number of people with recognized benefits has increased by 59.4%, reaching 2,274,461, according to data from the third SAAD Panel of 2025.

III

In this context, and with the aim of safeguarding the rights to comprehensive, equitable, and quality care within the health and social spheres, Law 3/2024, of October 30, is approved. This law entails the need to undertake a series of legislative changes aimed at ensuring the best quality of life by streamlining administrative procedures for the recognition of disability and dependency, and by improving integrated care between the social and healthcare systems for people affected by various conditions beyond Amyotrophic Lateral Sclerosis, including neurological and non-neurological processes of diverse origin, characterized by highly complex care needs and an irreversible course in a short period of time. All of these conditions are marked by a very high social, health, labor, and economic impact, a rapid progression toward a situation of high dependency, and a significant burden for the affected individuals, their families, caregivers, and society as a whole.

In view of this situation and in order to effectively implement the mandate to adapt the System for Autonomy and Care for Dependency established by Law 3/2024, of October 30, this royal decree-law introduces as a novelty the creation of Degree III+ of extreme dependency in Law 39/2006, of December 14, on the Promotion of Personal Autonomy and Care for people in situations of dependency. This new degree will grant access to a guaranteed protection level provided by the General State Administration of 4,930 euros per month for each beneficiary, thereby making possible the 24-hour supervision recognized as a right by the law to prevent the risk of avoidable death in people diagnosed with ALS or other highly complex and irreversible conditions, in those advanced stages of the disease that result in complete dependency for basic activities of daily living, as well as instrumental and personal assistance due to respiratory problems and dysphagia. This requires an increase in the budgetary allocation planned for 2025 to finance the minimum level of protection guaranteed by the General State Administration, which in turn will contribute to continuing the path of strengthening the entire System for Autonomy and Care for Dependency initiated with the 2021 Shock Plan, an increase amounting to 379 million additional euros.

In the same logic of addressing the additional needs generated by the implementation of Law 3/2024, of October 30, the increase in the budget allocated to the agreed level of dependency funding, amounting to 121 million euros, likewise enables the total contribution of the General State Administration in 2025 to reach 904 million euros.

IV

To carry all of this out, it is necessary to issue this royal decree-law and thereby introduce a new seventeenth additional provision into Law 39/2006, of December 14, in order to establish the legal framework for persons within the scope of Law 3/2024, of October 30.

Likewise, it is necessary to amend the one hundred and sixth additional provision of Law 31/2022, of December 23, on the General State Budget for the year 2023, which establishes the amounts of the minimum level of protection guaranteed by the General State Administration for each beneficiary of the SAAD, in order to determine a specific minimum level for those persons under the scope of Law 3/2024, of October 30, who are recognized as being in Degree III+ of extreme dependency.

However, these legislative amendments would not be fully effective without also reforming the regulatory framework that implements Law 39/2006, of December 14, by amending certain provisions of Royal Decree 1051/2013, of December 27, which regulates the benefits of the System for Autonomy and Care for Dependency established in Law 39/2006, of December 14, on the Promotion of Personal Autonomy and Care for people in situations of dependency. In this way, adapting these benefits to Law 3/2024, of October 30, has been understood as an additional care requirement to respond to the rapid progression of these conditions and the need for continuous technical support once Degree III is recognized.

To fulfill the legal mandate of creating a public guarantee of specialized continuous 24-hour supervision and care, aimed at preventing the risk of avoidable death in people diagnosed with ALS or other highly complex and irreversible diseases or conditions in the advanced stage of the disease, this royal decree-law opts to increase the maximum amounts of the financial benefit linked to the service, which may only be allocated to home help services, as well as the financial benefit for personal assistance, so that persons recognized with Degree III+ of extreme dependency can receive the home-based care they require.

This regulatory amendment does not freeze the regulatory rank, as the first final provision is introduced regarding the safeguarding of the rank of regulatory provisions. In this regard, it is noted that the reasons for incorporating this amendment into this royal decree-law are those set out in Constitutional Court Judgment 14/2020, of January 28, whose Legal Ground 5 states: "Indeed, the 1978 Constitution does not contain regulatory reservations, as this Court has reiterated, which means that the law is not barred from regulating matters previously attributed to regulatory authority (see, among others, STC 87/2018, of July 19, Legal Ground 3). This has led us to recognize 'the capacity of the decree-law to address a regulation that could have been included in a regulatory norm, as long as the need for systematic coherence in the regulation of the matter makes its joint regulation through the decree-law advisable (...). Deepening this doctrine, we must conclude that the use of the decree-law will only be constitutionally legitimate if the regulatory norm does not allow for the urgent response required by the situation that, according to the Government, needs to be resolved (...).'"

Furthermore, in order to meet the payment obligations arising from this royal decree-law, a credit supplement is granted in the Budget of Section 29, "Ministry of Social Rights, Consumer Affairs and the 2030 Agenda," Service 03, "State Secretariat for Social Rights," Program 000X "Internal Transfers and Disbursements," Chapter 4 "Current Transfers," Article 42 "To Social Security," to be transferred "to IMSERSO, for minimum guaranteed dependency coverage," for the amount of 379 million euros, Budget Item 427, Sub-item 00; and "to IMSERSO, for agreed-level dependency (SAAD)," for the amount of 121 million euros, Budget Item 428.

The amount of the credit supplement for the agreed level of dependency constitutes an additional sum beyond that approved in the Agreement of the Territorial Council of Social Services and of the System for Autonomy and Care for Dependency of July 28, 2025, for carrying out the territorial distribution among the autonomous communities under the Framework for Inter-Administrative Cooperation, and the criteria for allocating State Administration funds for the financing in 2025 of the agreed level established in Law 39/2006, of December 14, on the Promotion of Personal Autonomy and Care for persons in situations of dependency, for a total amount of 783,197,420 euros. The processing of the procedures that implement the supplemented credit shall be conducted, on an exceptional basis, in accordance with the special regime established in the sole additional provision.

Lastly, a transitional provision is introduced to unify the validity of this royal decree-law with that of Royal Decree 667/2025, of July 22, which regulates the direct granting of a subsidy to the National Consortium of ALS Entities (ConELA) for improving the quality of life of people affected by amyotrophic lateral sclerosis in advanced stages. This provision regulates the compatibility regime for subsidizable expenses contemplated in Royal Decree 667/2025, of July 22, in accordance with what is established in this royal decree-law regarding SAAD coverage of contingencies.

V

Furthermore, in accordance with the case law of the Constitutional Court, the reasons justifying the extraordinary and urgent need to adopt the various measures set forth in this royal decree-law must be specified. As repeatedly stated in such case law (for example, Constitutional Court Judgment 61/2018, of June 7, Legal Ground 5), proper oversight of the use of the royal decree-law requires analyzing two aspects from a constitutional perspective: first, the explicit and reasoned presentation of the motives considered by the Government in its approval (Constitutional Court Judgments 29/1982, of May 31, Legal Ground 3; 111/1983, of December 2, Legal Ground 5; 182/1997, of October 20, Legal Ground 3; and 137/2003, of July 3, Legal Ground 4); and second, the existence of a necessary connection between the defined urgent situation and the specific measure adopted to address it (Constitutional Court Judgments 29/1982, of May 31, Legal Ground 3; 182/1997, of October 20, Legal Ground 3; and 137/2003, of July 3, Legal Ground 4).

Regarding the definition of the urgent situation, it has been clarified that such explicit definition of “extraordinary and urgent necessity” does not need to appear in the royal decree-law itself in every case; rather, this requirement may also be inferred from a plurality of elements. The assessment of whether the enabling requirement of “extraordinary and urgent necessity” has been met must always be conducted through a global evaluation of all the factors that led the Government to issue the exceptional legislative provision. The factors are essentially reflected in the preamble of the regulation and in its drafting record (Constitutional Court Judgments 29/1982, of May 31, Legal Ground 4; 182/1997, of October 28, Legal Ground 4; 11/2002, of January 17, Legal Ground 4; and 137/2003, of July 3, Legal Ground 3).

As for the second aspect of the enabling requirement of emergency legislation, conceived as the logical connection between the defined situation of need and the measures adopted in the royal decree-law; it must be considered that the purpose justifying emergency legislation is none other than addressing “specific situations related to governmental objectives which, for reasons difficult to foresee, require immediate regulatory action within a shorter period than that required through the ordinary legislative procedure or the parliamentary urgent procedure” (Constitutional Court Judgments 31/2011, of March 17, Legal Ground 4; 137/2011, of September 14, Legal Ground 6; and 100/2012, of May 8, Legal Ground 8).

Thus, the situation of extraordinary and urgent necessity required under Article 86 of the Spanish Constitution, which authorizes the adoption of the measures included in this royal decree-law, derives directly from the inexorable consequences that would result from its non-approval. Such a scenario would mean the lack of immediate, continuous, individualized, and specialized care in the respective homes of persons with ALS or other highly complex and irreversible diseases or conditions. Their quality of life would be severely diminished and, in many cases, their families would continue to bear most of the economic and personal burden generated by these conditions.

The extraordinary and urgent necessity of this reform is also based on objective reasons that require its immediate approval. ALS progresses rapidly, meaning that dependency and respiratory complications appear in a short period of time, significantly affecting the quality of life of patients and their families, creating situations of high vulnerability.

Regarding a matter such as the care of people affected by this type of illness in advanced stages, the implementation of a system of public guarantee for continuous care is extremely pressing. The time that would normally be required for a sequential and ordinary modification of several regulations would carry too high a cost, one that would be unacceptable for Spanish society.

The urgency of this regulation lies in the need to avoid setbacks, responding, regardless of demographic trends, to the principle of universality that inspires Law 39/2006, of December 14, on the Promotion of Personal Autonomy and Care for people in situations of dependency. Delays in processing cases and allocating resources cannot be prolonged without resulting in an unacceptable breach of the principles of equity, social justice, and priority attention to vulnerability that underpin the Welfare State. Moreover, this situation creates an excessive burden for caregiving families, who assume complex care responsibilities alone and without institutional support, which worsens social and gender inequalities.

Failure to act immediately would have a direct impact (or would increase the loss of rights) on the erosion of acquired rights, further deterioration of the physical and emotional health of dependent individuals, and growing pressure on other public services, such as the National Health System. Likewise, there would be a risk of violating international commitments regarding human rights and the protection of persons with disabilities.

The adoption of extraordinary and immediately applicable measures is essential to improve coordination among administrations and ensure the necessary funding to protect the rights of dependent persons.

Consequently, due to its purpose and the time-critical context in which it is issued, the circumstances of extraordinary and urgent necessity required under Article 86 of the Spanish Constitution are present in this royal decree-law, in order to implement the legislative and regulatory changes derived from the particular urgency of meeting the care needs of dependent persons and, especially, of the particularly vulnerable group of patients affected by a degenerative process that rapidly impacts their quality of life.

Furthermore, there is no impact on general electoral law, since this is a matter unrelated to the purpose of the project, nor on the organization of the basic institutions of the State, in accordance with the interpretation given to this issue by the Constitutional Court (cf. Constitutional Court Judgment 134/2021, of June 24, 2021, and Judgment 150/2017, of December 21, 2017).

As for the prohibition on affecting the rights, duties, and freedoms of citizens regulated in Title I of the Constitution, a very consolidated doctrine of the

Constitutional Court interprets it in the following terms, summarized in Constitutional Court Judgment 139/2016, of July 31 (Legal Ground 6):

“1.) Article 86.1 of the Spanish Constitution prevents decree-laws from affecting the rights, duties, and freedoms of citizens regulated in Title I of the Constitution, but this Court has rejected an expansive interpretation of that limit which would empty the decree-law of its function, rendering it ‘useless for regulating, with greater or lesser impact, any aspect concerning the matters included in Title I of the Constitution.’ 2.) The restrictive clause must be understood in a manner that does not nullify the decree-law as an instrument, so that what is constitutionally prohibited is regulating a general regime of these rights, duties, and freedoms, or acting against the essential content or elements of any of those rights (Constitutional Court Judgment 111/1983, of December 2, Legal Ground 8, confirmed by later judgments). 3.) The Court must not focus solely on how the principle of statutory reservation manifests itself in a given subject matter, but rather must examine whether there has been an ‘affectation’ by the decree-law of a right, duty, or freedom regulated in Title I of the Constitution. This requires taking into account the constitutional configuration of the right, duty, or freedom affected in each case, including its systematic location within the constitutional text, and the nature and scope of the specific regulation in question (...).”

With regard to the regime of the Autonomous Communities, this is a limit that the Constitutional Court’s case law has treated in a flexible and purposive manner, such that, as summarized in Constitutional Court Judgment 23/1993, of January 21 (Legal Ground 2): “(...) it must be borne in mind that Article 86.1 of the Constitution uses the term ‘regime of the Autonomous Communities,’ which is broader and more comprehensive than the mere ‘Statutes of Autonomy,’ and therefore that expression must be interpreted, as stated in Constitutional Court Judgment 29/1986, ‘in the sense that the decree-law cannot affect the constitutional regime of the Autonomous Communities, including the institutional position granted to them by the Constitution.’ The Statutes form part of this ‘constitutional regime,’ and cannot be altered by a decree-law, but other State laws that confer competences, forming part of the block of constitutionality, are also included, as well as the laws conferring powers under Article 150.1 of the Constitution, the harmonization laws under Article 150.3, and the Organic Laws referred to in Article 150.2. Therefore, the decree-law cannot regulate matters specific to those laws which, under Article 28.1 of the Constitutional Court Act, have been approved within the constitutional framework to delimit the competences of the State and the different Autonomous Communities or to regulate or harmonize the exercise of those competences.

Beyond this ‘constitutional regime,’ the regulatory scope of decree-laws corresponds to the legislative competence of the State. There is no constitutional obstacle preventing a decree-law, within the area of legislative competence belonging to the State, from regulating matters in which an Autonomous Community holds competences, but in which a State legislative competence is also involved, provided that such regulation does not aim to confer competences or positively delineate the sphere of competences of the Autonomous Communities.

Certainly, the exercise of the competences of one entity may affect those of another to some extent. But when the Constitution prohibits the decree-law from ‘affecting’ the regime of the Autonomous Communities, it refers to a direct and positive delimitation of competences through that normative instrument, not to any regulation that indirectly ‘impacts’ the competences of the Autonomous Communities. Otherwise, the areas of regulation that decree-laws could cover would be practically emptied of substance, since it is very difficult to find a regulatory subject that does not, in one way or another, involve some Autonomous Community competence.”

More specifically, Constitutional Court Judgment 18/2016, of February 4, 2016, expressly addressed the scope of the material limitation consisting of the affectation of the regime of the Autonomous Communities in the field of the promotion of personal autonomy and care for individuals in situations of dependency,

stating in its Legal Ground 5 the following: “The complaint relating to the infringement of the material limit consisting of the affectation of the regime of the Autonomous Communities, which, according to the claim, would be incurred by Article 22.2 and the ninth additional provision, concerning the constitution of the Territorial Council of Social Services and the System for the Autonomy and Care for Dependency, must likewise be dismissed, since we have recently noted [Constitutional Court Judgment 81/2015, of April 30, Legal Ground 6 (b)] that this limit “could never be understood to encompass any measure that might in some way affect the Autonomous Communities, or an individual Autonomous Community (and not the ‘regime of the Autonomous Communities as designed in general in the Constitution’), for if this were so, and given the degree of development that the distribution of competences between the State and the Autonomous Communities has reached as outlined in Title VIII of the Constitution, the use of this normative instrument by the Government of the Nation would be rendered impossible, even compromising the exercise of the functions that this same Constitution assigns to it.” In short, it is clear that a provision of the Government aimed at restructuring the cooperation instruments necessary in the field of promoting autonomy and caring for persons in situations of dependency does not pursue a direct and positive delimitation of competences through a decree-law, since this material limit does not prevent any regulation that indirectly impacts Autonomous Community competences. Otherwise, the regulatory spheres upon which the decree-law may operate would be practically emptied of content, as it is very difficult to find a regulatory subject matter which does not, in one way or another, affect some Autonomous Community competence (Constitutional Court Judgment 23/1993, of January 21, Legal Ground 2; in the same vein, Constitutional Court Judgment 332/2005, of December 15, Legal Ground 8).”

VI

This royal decree-law complies with the principles of good regulation established in Article 129 of Law 39/2015, of October 1, on the Common Administrative Procedure of Public Administrations.

Thus, it adheres to the principles of necessity and effectiveness, as ALS progresses rapidly, meaning that dependency and respiratory complications manifest in a short period, significantly affecting the quality of life of patients and their families, creating situations of high vulnerability for both patients and their relatives. To mitigate this situation, an effective intervention and adaptation of the services provided through personal assistance benefits and home-help services under the System for the Promotion of Personal Autonomy and Care for Dependency (SAAD) is necessary and essential, in order to meet the needs of persons falling within the scope of Law 3/2024, of October 30, ensuring a public guarantee of continuous, specialized, 24-hour supervision and care, thus preventing the risk of avoidable death among individuals diagnosed with ALS or other high-complexity, irreversible diseases or processes.

With regard to the principle of legal certainty, this regulation is consistent with the rest of the legal system, and in particular with Law 39/2006, of December 14, since this royal decree-law is inspired by several of the principles set out in Article 3 of that law, specifically the public nature of the benefits under the System for Autonomy and Care for Dependency, the universality of access for all persons in situations of dependency, under conditions of effective equality and non-discrimination, and the promotion of the conditions necessary for dependent persons to lead a life with the greatest possible degree of autonomy. Likewise, this regulation aligns with the mandate placed upon the Government in the fourth additional provision of Law 3/2024, of October 30, requiring that within twelve months the regulatory updates necessary to comply with the rights established by the law for persons with ALS and other high-complexity, irreversible diseases or processes be carried out. Regarding the principle of

proportionality, the regulation contains no restrictive measures of rights nor imposes obligations on citizens or businesses, and thus includes only the essential provisions required to address the need the regulation aims to meet.

With regard to the principle of transparency, this regulation is clear in the presentation of its objectives, as is the accompanying regulatory impact assessment report.

Finally, with respect to the principle of efficiency, the regulation does not create administrative burdens for the fulfillment of its objectives, in accordance with the provisions of Law 39/2006, of December 14, since the adoption of extraordinary, immediately applicable measures is essential to expedite the processing of case files, improve coordination among administrations, and ensure the necessary funding, with the aim of substantially reducing waiting times and protecting the rights of dependent persons.

This royal decree-law is issued pursuant to Rule 1 of Article 149.1 of the Spanish Constitution, which grants the State exclusive competence to regulate the basic conditions that guarantee the equality of all Spaniards in the exercise of constitutional rights and in the fulfillment of constitutional duties.

Accordingly, pursuant to the authorization contained in Article 86 of the Spanish Constitution, at the proposal of the Minister for Social Rights, Consumer Affairs and the 2030 Agenda, and following deliberation by the Council of Ministers at its meeting of October 21, 2025,

I HEREBY ORDER:

Article One. *Amendment of Law 39/2006, of 14 December, on the Promotion of Personal Autonomy and Care for Persons in Situations of Dependency.*

An additional provision, the seventeenth, is added with the following wording:

“Additional Provision Seventeenth. Legal regime of the persons included within the scope of Law 3/2024, of 30 October, aimed at improving the quality of life of persons with Amyotrophic Lateral Sclerosis and other diseases or processes of high complexity and irreversible course.

1. A new Grade III+ of extreme dependency is hereby created, which includes persons who, having already been recognized as Grade III dependent, are diagnosed with Amyotrophic Lateral Sclerosis in that advanced phase of the disease that results in complete dependency for basic activities of daily living, as well as the need for instrumental and personal assistance arising from respiratory problems and dysphagia. It also includes persons who, having been recognized as Grade III dependent, are diagnosed with other diseases or processes of high complexity and irreversible course, in accordance with the criteria established in the regulation that determines the scope of Law 3/2024, of 30 October, pursuant to its seventh final provision.

2. This Grade III+ of extreme dependency shall be assigned a specific minimum level of protection, guaranteed by the General State Administration, depending on the benefit or service received.

Persons who have been recognized with a Grade III+ of extreme dependency shall be entitled to access an economic benefit linked to the service, in accordance with Article 17, which may be used solely for home help, or an economic benefit for personal assistance, under the terms set out in Article 19.”

Article Two. Amendment of Law 31/2022, of 23 December, on the General State Budget for 2023.

The following paragraph is added at the end of Additional Provision One Hundred and Sixth of Law 31/2022, of 23 December, on the General State Budget for 2023, which shall read as follows:

"Furthermore, the amount of the minimum level of protection guaranteed by the General State Administration for each beneficiary of the System for the Promotion of Autonomy and Care for Persons in Situations of Dependency, included in Grade III+ of extreme dependency, is set at 4,930 euros per month."

Article Three. Amendment of Royal Decree 1051/2013, of 27 December, which regulates the benefits of the System for the Promotion of Autonomy and Care for Persons in Situations of Dependency, established in Law 39/2006, of 14 December, on the Promotion of Personal Autonomy and Care for Persons in Situations of Dependency.

The following paragraph is added at the end of Annex IV, which shall read as follows:

"Furthermore, the maximum amounts for both the economic benefit linked to the home help service and the economic benefit for personal assistance, corresponding to persons included in Grade III+ of extreme dependency, are set at 9,859 euros."

Article Four. Granting of a credit supplement in the Budget of Section 29 "Ministry of Social Rights, Consumer Affairs and Agenda 2030."

1 In order to cover the payment of obligations generated by this royal decree-law in relation to persons with Amyotrophic Lateral Sclerosis and other diseases of high complexity and irreversible course, whose quality of life is intended to be improved, as well as to adjust the credit to the transversal budgetary needs of the System for the Promotion of Autonomy and Care for Persons in Situations of Dependency, the following credit supplements are granted in the budget of Section 29 "Ministry of Social Rights, Consumer Affairs and Agenda 2030," Service 03 "State Secretariat for Social Rights," Program 000X "Transfers and Internal Allocations," Chapter 4 "Current Transfers," Article 42 "To Social Security," which will be financed in accordance with Article 59 of Law 47/2003, of 26 November, General Budget Law:

a) Budget Item 427, Subconcept 00 "To IMSERSO, for guaranteed minimum in dependency," for an amount of 379 million euros.

b) Budget Item 428 "To IMSERSO, agreed level in dependency (SAAD)," for an amount of 121 million euros.

2. The amount of the credit supplement for the agreed level in dependency represents an additional amount over that approved in the Agreement of the Territorial Council of Social Services and the System for the Promotion of Autonomy and Care for Persons in Situations of Dependency of 28 July 2025, for the territorial distribution among the autonomous communities of the Inter-administrative Cooperation Framework, and the criteria for the allocation of credits by the General State Administration for the 2025 financing of the agreed level, as provided in Law 39/2006, of 14 December, on the Promotion of Personal Autonomy and Care for Persons in Situations of Dependency, for a total amount of 783,197,420 euros, and its distribution shall be governed by the procedure established in the Sole Additional Provision.

3. Without prejudice to the expenditure file processed by the State Secretariat for Social Rights in favor of IMSERSO, and charged to the budgetary allocations of paragraph 1 of this article, the approval of this royal decree-law

shall constitute sufficient budget for the generation of credit in the following budgetary allocations and in the amounts indicated below:

- a) Budgetary application 31.34-451.1 "For the care of persons in situations of dependency: minimum level of protection," for an amount of 379 million euros.
- b) Budgetary application 31.34-451.2 "For the care of persons in situations of dependency: agreed level of protection," for an amount of 121 million euros.

4. The provisions of this article shall not apply to the Autonomous Community of the Basque Country and the Chartered Community of Navarre, in accordance with the provisions of Additional Provision Two of Law 39/2006, of 14 December, regarding the regime applicable to the Economic Agreement between the State and the Community of the Basque Country and Economic Agreement between the State and the Regional Community of Navarre.

Sole Additional Provision. Special rules for the additional distribution of funds linked to the credit supplement approved under Article Four.

1. In the distribution of funds to the autonomous communities linked to the credit supplement approved under Article Four, the procedures or authorizations established in Articles 74.5 and 86 of Law 47/2003, of 26 November, General Budget Law, or those in Articles 8 and following of Law 39/2006, of 14 December, shall not be required. Notwithstanding this, the provisions of Article 86.2, Sixth and Seventh, of Law 47/2003, of 26 November, shall apply.

2. For the disbursement of the funds, it shall be sufficient for the Director-General of IMSERSO to adopt a resolution indicating the amount corresponding to each autonomous community in relation to the relevant funds. This resolution shall be accompanied by the respective authorizations and commitments of expenditure, which shall be executed in a single act for each autonomous community.

3. The resolution referred to above shall follow the distribution criteria and standardized obligations established in the "Agreement of the Territorial Council of Social Services and the System for the Promotion of Autonomy and Care for Persons in Situations of Dependency of 28 July 2025 for the territorial distribution among the autonomous communities of the Inter-administrative Cooperation Framework, and the credit allocation criteria of the General State Administration for the 2025 financing of the agreed level, as provided in Law 39/2006, of 14 December, on the Promotion of Personal Autonomy and Care for Persons in Situations of Dependency, for a total amount of 783,197,420 euros."

Sole Transitional Provision. Regime of compatibility with Royal Decree 667/2025, of 22 July, regulating the direct granting of a subsidy to the National Consortium of ALS Entities (ConELA) for improving the quality of life of persons affected by advanced-stage amyotrophic lateral sclerosis.

1. The contracting, legally assimilated solution, or provision of new home-based socio-healthcare services referred to in Article 7.1. a) of Royal Decree 667/2025, of 22 July, shall cease to be an eligible subsidizable expense when such service is effectively guaranteed through the economic benefit linked to home care or personal assistant services to which persons in Grade III+ extreme dependency are entitled under this royal decree-law. Likewise, expenses associated with possible extensions of those instruments shall cease to be subsidizable from the moment the above circumstance occurs.

For the purpose of assessing the eligibility of expenses under this provision, the date of formalization of the relevant legal instruments signed by the beneficiary entity shall be taken into account. Additionally, the granting authority may issue instructions to verify the effective provision of the service by the System for the Promotion of Autonomy and Care for Persons in Situations of Dependency.

2. If the transitional regime referred to above results in the non-execution of the subsidy by the beneficiary entity, any reimbursement

required on this account shall be exempt from late payment interest as referred to in Article 40 of Law 38/2003, of 17 November, General Subsidies Law.

Final Provision One. *Safeguard of the Rank of Regulatory Provisions.*

The determinations included in regulatory norms that are amended by this royal decree-law may be modified by rules of the regulatory rank corresponding to the norm in which they appear.

Final Provision Two. *Basis of Jurisdiction.*

This royal decree-law is issued under the provisions of Article 149.1.1 of the Spanish Constitution, which grants the State exclusive jurisdiction to regulate the basic conditions that guarantee equality for all Spaniards in the exercise of rights and the fulfillment of constitutional duties.

Final Provision Three. *Regulatory Development and Execution.*

The Government is authorized to issue any provisions necessary for the development and implementation of the provisions of this royal decree-law.

Final Provision Four. *Entry into Force.*

This royal decree-law shall enter into force on the day following its publication in the “Boletín Oficial del Estado”.

Given on 21 October 2025.

FELIPE R.

The President of the Government,
PEDRO SÁNCHEZ PÉREZ-CASTEJÓN