



Aged Care Amendment Bills: Summary

Aged Care and Other Legislation Amendment Bill 2025

The purpose of this Bill is to ensure the new legislative framework operates effectively and delivers on the policy intent of the *Aged Care Act 2024*.

Schedule 1: Amendments to the *Aged Care Act 2024*

Amendments relating to Chapter 4 – funding of aged care services

These amendments will ensure:

- Support at Home providers can now charge for funded aged care services in instances of late cancellations or “no-shows” with providers being expected to include cancellation and no-show policies in their service agreements (EM, page 10-11).
- Support at Home providers can deliver services via associated providers (such as a nurse assisting an individual to obtain consumable items) with the provider receiving the subsidy and then reimbursing the associated provider for delivering that service (EM, page 183).
- Support at Home providers can reimburse individuals for sourcing their own consumables, such as wound dressings and continence aids (EM, page 11).
- Two sequential subsidies for home support services under the Restorative Care Pathway are now available for providers to claim simultaneously, such as in instances where works are required that would cost more than a single subsidy payment (EM, page 33).
- Provider-based supplements are constitutionally supported and provide scope for future amendments and supplements to be introduced (EM, page 48).

In addition, the following amendments will reinforce the ‘no worse off’ principle by:

- Enabling alternative calculators for person-centred and provider-based subsidy for residential care providers, to ensure continuity between the current and new frameworks (EM, page 48).
- Ensuring unspent funds can transition from the current to the new framework, so that individuals can still use them after 1 November (EM, page 44).
- Ensuring an individual’s bond arrangements will be preserved in line with the ‘no worse off’ principle (EM, page 60)

Other amendments to the *Aged Care Act 2024*

The Bill will amend other chapters of the *Aged Care Act 2024* to:

- ☐ Ensure interim Support at Home places can be allocated to individuals during periods of high demand, with the final draft Aged Care Rules prescribing that interim places provide individuals with 60% of the funding of their full place. (EM, page 17-18).
- ☐ Remove the caps for cleaning and gardening services (EM, page 9).
- ☐ Include a requirement to review the Aged Care Quality Standards every 5 years (EM, page 12).
- ☐ Provide legislative authority for the automation of administrative processes under the Aged Care Act 2024.
- ☐ Make technical and minor policy amendments identified through the drafting of subordinate legislation or operational preparations.

Schedule 2: Amendments to the *Aged Care (Consequential and Transitional Provisions) Act 2024*

These amendments will:

- ☐ Allow the Minister, for 24 months following Royal Assent, to make Rules to swiftly address potential unintended consequences or unforeseen circumstances that may arise with the operation of the *Aged Care Act 2024* (EM, page 111-112).
- ☐ Ensure existing authorisations and offenses relating to information obtained under the *Aged Care Act 1997* continue to apply under the new legislation.
- ☐ Make other technical and minor policy amendments identified through the drafting of subordinate legislation or operational preparations.

Schedule 3: Consequential amendments to other Commonwealth legislation

These amendments will ensure the continued function of other legislation as it interacts with the *Aged Care Act 2024*.

Together with the Aged Care (Accommodation Payment Security) Levy Amendment Bill 2025 (outlined below), amendments will be made to 24 Acts.

Amendments to the ***A New Tax System (Goods and Services Tax) Act 1999*** will:

- ☐ Continue to give effect to GST arrangements for aged care services.

Amendments to the ***Social Security Act 1991*** will:

- ☐ Continue to give effect to means testing policies for income support payments and correctly apply aged care accommodation payments.
- ☐ Exempt the compensation payment under section 186 of the *Aged Care Act 2024* from income determinations.

Amendments to the ***Inspector-General of Aged Care Act 2023*** to extend the date of review from 1 March 2026 to 1 November 2027.

Amendments to the ***National Health Reform Act 2011*** will:

- ☐ Enable the Chair of the Pricing Authority to disclose protected information to the Inspector-General of Aged Care (IGAC) to enable or assist the IGAC to perform its duties.

- Make technical consequential amendments to update references to align with the *Aged Care Act 2024*.

Amendments to the ***Health Care Identifiers Act 2010*** to extend authorisations for healthcare identifiers to be used by providers delivering aged and disability care and support services, including in-home supports and community-based care services.

All other amendments are minor and technical, such as changing terminology and definitions to align with the *Aged Care Act 2024*. These relate to the following legislation:

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| □ <i>Aged Care (Accommodation Payment Security) Act 2006</i> | □ <i>Military Rehabilitation and Compensation Act 2004</i> |
| □ <i>Airports Act 1996</i> | □ <i>My Health Records Act 2012</i> |
| □ <i>A New Tax System (Goods and Services Tax) Act 1999</i> | □ <i>National Disability Insurance Scheme Act 2013</i> |
| □ <i>Child Support (Registration and Collection) Act 1988</i> | □ <i>National Health Act 1953</i> |
| □ <i>Health and Other Services (Compensation) Act 1995</i> | □ <i>National Health Reform Act 2011</i> |
| □ <i>Healthcare Identifiers Act 2010</i> | □ <i>Private Health Insurance Act 2007</i> |
| □ <i>Health Insurance Act 1973</i> | □ <i>Safety, Rehabilitation and Compensation (Defence related Claims) Act 1988</i> |
| □ <i>Home and Community Care Act 1985</i> | □ <i>Sex Discrimination Act 1984</i> |
| □ <i>Human Services (Centrelink) Act 1997</i> | □ <i>Social Security Act 1991</i> |
| □ <i>Human Services (Medicare) Act 1973</i> | □ <i>Treatment Benefits (Special Access) Act 2019</i> |
| □ <i>Income Tax Assessment Act 1997</i> | □ <i>Veterans' Entitlements Act 1986</i> |
| □ <i>Inspector General of Aged Care Act 2023</i> | |

Aged Care (Accommodation Payment Security) Levy Amendment Bill 2025

This Bill makes consequential amendments to the *Aged Care (Accommodation Payment Security) Levy Act 2006* which guarantees certain lump sum payments made by those accessing residential aged care. It does this in two ways by:

- Ensuring that providers continue to be subject to the Government's guarantee scheme.
- Providing that the Government may levy the costs of this guarantee from certain providers in certain circumstances, such as when there is a default event.