

PARLIAMENTARY INQUIRY QUESTION ON NOTICE

Department of Health and Aged Care

Senate Standing Committee on Community Affairs Legislation Committee

Inquiry into the Aged Care Bill 2024 (Provisions)

03 October 2024

PDR Number: IQ24-000172

Aged Care Rules topics and tranches

Question on Notice

Senator: Anne Ruston

Question:

Aged Care Rules topics and tranches

Answer:

The department has assessed the degree to which the topics for the Rules are new or existing. The allocation to tranches is subject to change. As at 3 October 2024, the breakdown by tranche is:

	Existing	Mostly existing	Partly existing	Mostly new	New	Total
Tranche 1			1			1
Tranche 2	1	6	1		5	13
Tranche 3	6	5	5	2	1	19
Tranche 4	1	4	3			8
Tranche 5	1	2	1	1	3	8
Tranche 6		4	3	1	5	13
Total	9	21	14	4	14	62

The list of topics by Tranche and degree to which they are new or existing is:

Tranche 1
Partly existing
Aged care service list
Tranche 2
Existing
Contributions – Div 3 (Specialist aged care programs) (TCP, MPS, NATSIFAC)
Mostly existing
Accommodation (mainstream)
Accommodation (MPS)
Contributions – Div 2 (residential)
Means testing – Div 2 (residential)
Subsidies – Div 4 (residential)
Subsidies – Div 5 (specialist aged care programs)
Partly existing
Subsidies – Div 6 (Claims and payment)
New
Contributions – Div 1 (Support at Home)
Grants - Power to enter other agreement, Stat funding conditions, Grantee Code of Conduct
Means testing (Support at Home)
Subsidies – Div 1 (Support at Home)
Subsidies – Div 2 and 3 (AT-HM)
Tranche 3
Existing
Aged Care Code of Conduct
Continuous improvement
Incident Management
Personal information and record keeping
Provision of information to individuals
Restrictive practices
Mostly existing
Advisory body requirements
Aged Care Quality Standards

Compliance with Aged Care Quality Standards
Compliance with Financial and Prudential Standards
Membership of governing bodies
Partly existing
Access by supporters, representatives, independent aged care advocates etc.
Complaints, feedback and whistleblowers
Delivery of Direct Care
Delivery of Funded Aged Care Services
Starting and ceasing the provision of funded aged care services and continuity of those services
Mostly new
Rights and principles
Workforce and aged care worker requirements (aged care worker screening)
New
Vaccination
Tranche 4
Existing
Reporting and Recordkeeping requirements - Serious incident response scheme
Mostly existing
Reporting and Recordkeeping requirements - Miscellaneous Reporting
Reporting and Recordkeeping requirements - Provider Complaints Reporting
Reporting and Recordkeeping requirements - Provider Governance and Operations Reporting
Reporting and Recordkeeping requirements - Vaccination Reporting Requirements
Partly existing
Reporting and Recordkeeping requirements - CHSP Reporting
Reporting and Recordkeeping requirements - Prudential and financial
Reporting and Recordkeeping requirements - Quality Indicators
Tranche 5
Existing
Registered Nurses
Mostly existing
Cooperation with other persons
Responsible persons of a registered provider must notify of change of circumstances relating to suitability

Partly existing
Change in circumstances
Mostly new
Provider registration
New
Duty of operators of aged care digital platforms
Meaning of aged care digital platform
Other obligations of certain operators of aged care digital platforms
Tranche 6
Mostly existing
Place allocation - providers
Register of banning orders
System Governor may publish information about funded aged care services generally
System Governor must publish information about funded aged care services generally
Partly existing
Classification
Prioritisation
System entry
Mostly new
Dealing with complaints
New
Affected entity may request reconsideration of reviewable decision
Complaints functions - reporting
Nonrecovery of recoverable amounts
Place allocation - people
Registration of supporters

In addition, the Aged Care Quality and Safety Commissioner may make Financial and Prudential Standards by legislative instrument. These standards have been assessed as mostly existing under the *Aged Care Act 1997*.