

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

**Aged Care Bill 1997**

*Schedule of the amendments made by the Senate*

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- (1) Clause 4-1, page 9 (lines 4 and 5), omit “, except as provided in an agreement under section 4-2”.
- (2) Clause 4-2, page 9 (lines 7 to 15), omit the clause.
- (3) Clause 4-3, page 9 (lines 16 to 24), omit the clause.
- (4) Clause 8-3, page 18 (after line 25), after paragraph (b), insert:
  - (ba) any person who is responsible for the nursing services provided, or to be provided, by the \*aged care service conducted, or to be conducted, by the applicant;
- (5) Clause 8-3, page 18 (after line 32), after subclause (3), insert:
  - (3A) A person referred to in paragraph (3)(ba) must hold a recognised qualification in nursing.
- (6) Clause 9-1, page 22 (after line 19), after paragraph (2)(b), insert:
  - (ba) any person who is responsible for the overall nursing care provided, or to be provided, by the \*aged care service conducted, or to be conducted, by the applicant;
- (7) Clause 9-1, page 22 (after line 25), after subclause (2), insert:
  - (2A) A person referred to in paragraph (2)(ba) must hold a recognised qualification in nursing.
- (8) Clause 41-3, page 140 (after line 23), before subparagraph (i), insert:
  - (ia) appropriate staffing to meet the nursing and personal care needs of the person; and
- (9) Clause 41-3, page 141 (line 2), omit “appropriate staffing.”.
- (10) Clause 56-4, page 218 (line 6), at the end of paragraph (d), add “; and”.

- (11) Clause 56-4, page 218 (after line 6), at the end of subclause (1), add:
- (e) comply with any determination made, in respect of the approved provider, by a committee of the kind referred to in subsection 96-3(1 A).
- (12) Clause 57-2, page 221 (lines 9 to 11), omit paragraph (n), substitute:
- (n) the approved provider must use the income derived from the accommodation bond and the retention amount in the following ways:
    - (i) to meet capital works costs relating to residential care; and
    - (ii) to retire debt relating to residential care; and
    - (iii) where no capital expenditure is required, or likely to be required, under subparagraphs (i) and (ii), to improve the quality and range of aged care services;
- (13) Page 252 (after line 25), at the end of Division 63, add:

### **63-2 Annual report on the operation of the Act**

- (1) The Minister must, as soon as practicable after 30 June but before 30 September in each year, cause to be laid before each House of the Parliament a report on the operation of this Act during the year ending on 30 June of that year.
  - (2) A report under subsection (1) must include information about the following matters:
    - (a) the extent of unmet demand for places; and
    - (b) the adequacy of the Commonwealth subsidies provided to meet the care needs of residents; and
    - (c) the extent to which providers are complying with their responsibilities under the Act; and
    - (d) the amounts of accommodation bonds charged; and
    - (e) the duration of waiting periods for entry to residential care; and
    - (f) the extent of building, upgrading and refurbishment of aged care facilities; and
    - (g) the imposition of any sanctions for non-compliance under Part 4.4, including details of the nature of the non-compliance and the sanctions imposed;but is not limited to information about those matters.
- (14) Clause 96-3, page 358 (after line 3), after subclause (1), insert:
- (1A) Without limiting subsection (1), the Minister may establish a committee for the following purposes:
    - (a) co-ordinating and reviewing:
      - (i) the resolution of complaints relating to approved providers, \*aged care services or the provision of \*aged care, being complaints in respect of matters dealt with under this Act or Principles made under section 96-1; or
      - (ii) the resolution of complaints relating to the administration of this Act or Principles made under section 96-1;
    - (b) in the circumstances set out in the Committee Principles, making determinations resolving those complaints.

HARRY EVANS  
Clerk of the Senate