

2019-2020

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Aged Care Legislation Amendment
(Improved Home Care Payment
Administration No. 1) Bill 2020**

No. , 2020

(Health)

**A Bill for an Act to amend the law in relation to
home care payments, and for related purposes**

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A Bill for an Act to amend the law in relation to home care payments, and for related purposes

The Parliament of Australia enacts:

1 Short title

This Act is the *Aged Care Legislation Amendment (Improved Home Care Payment Administration No. 1) Act 2020*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
|---------------------------------|---|---------------------|
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this Act | A single day to be fixed by Proclamation. However, if the provisions do not commence within the period of 6 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period. | |

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Aged Care Act 1997

1 Subsection 47-1(1)

Repeal the subsection, substitute:

- (1) *Home care subsidy is payable by the Commonwealth to an approved provider in respect of each *payment period (see section 47-2) during which the approved provider is eligible under section 46-1.
- (1A) However, *home care subsidy is not payable:
 - (a) in respect of any days during a *payment period on which the approved provider is not eligible; or
 - (b) in respect of a payment period if the approved provider has not given to the Secretary, under section 47-4, a claim in respect of the payment period.

2 Section 47-3

Repeal the section.

3 Subsection 47-4(1)

Omit “(1)”.

4 Subsections 47-4(2) and (3)

Repeal the subsections.

Aged Care (Transitional Provisions) Act 1997

5 Subsection 47-1(1)

Repeal the subsection, substitute:

- (1) *Home care subsidy is payable by the Commonwealth to an approved provider in respect of each *payment period (see section 47-2) during which the approved provider is eligible under section 46-1.

(1A) However, *home care subsidy is not payable:

- (a) in respect of any days during a *payment period on which the approved provider is not eligible; or
- (b) in respect of a payment period if the approved provider has not given to the Secretary, under section 47-4, a claim in respect of the payment period.

6 Section 47-3

Repeal the section.

7 Subsection 47-4(1)

Omit “(1)”.

8 Subsections 47-4(2) and (3)

Repeal the subsections.

9 Application of amendments

The amendments of the *Aged Care Act 1997* and the *Aged Care (Transitional Provisions) Act 1997* made by this Schedule apply in relation to payment periods beginning on or after the day this item commences.