



Classification Amendment (Dementia and Severe Behaviours Supplement) Principle 2013

I, Jacinta Collins, Minister for Mental Health and Ageing, make the following principle under the *Aged Care Act 1997*.

Dated: 8/7 2013

Jacinta Collins
Minister for Mental Health and Ageing

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1 Name of principle

This principle is the *Classification Amendment (Dementia and Severe Behaviours Supplement) Principle 2013*.

2 Commencement

This principle commences on 1 August 2013.

3 Authority

This principle is made under the *Aged Care Act 1997*.

4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Classification Principles 1997

1 Section 9.3 (definition of *extended aged care at home*)

Repeal the definition.

2 Section 9.3 (note at end)

Repeal the note, substitute:

- Note: A number of expressions used in these Principles are defined in the Act, including the following:
- classification level.

3 Section 9.5

Repeal the section.

4 Section 9.27

Repeal the section, substitute:

9.27 Different expiry dates (Act, s 27-2)

Expiry date—respite care classifications

- (1) For paragraph 27-2 (6) (a) of the Act, the expiry date for the classification of a care recipient to whom the circumstance mentioned in item 7 of the table in subsection 27-2 (1) of the Act applies is the first day after the earlier of the following days:
 - (a) the day in a financial year on which the number of days on which the care recipient has been provided with residential care as respite care in the financial year equals the number of days specified in section 21.18 of the *Residential Care Subsidy Principles 1997*;
 - (b) the day when the care recipient's approval as a care recipient ceases to have effect.

Note For when a care recipient's approval as a care recipient ceases to have effect, see Division 23 of the Act.

Expiry date—care recipient eligible for dementia and severe behaviours supplement

- (2) For paragraph 27-2 (6) (a) of the Act, the expiry date for the classification of a care recipient whose classification has been renewed because the care recipient's care needs are taken to have changed significantly in the

circumstance mentioned in paragraph 9.28(1)(a) is the day immediately after the period of 28 days starting on the day on which the care recipient ceases being provided with residential care (other than because the care recipient is on leave).

- (3) The expiry date specified in Item 5 of the table in subsection 27-2 (1) of the Act does not apply in the circumstances specified in subsection (2).

5 Section 9.28

Repeal the section, substitute:

9.28 Circumstances in which care needs are taken to have changed significantly (Act, s 27-4)

- (1) For subsection 27-4 (4) of the Act, the care needs of a care recipient are taken to have changed significantly if:
- (a) the care recipient becomes eligible for a dementia and severe behaviours supplement under section 21.26KA of the *Residential Care Subsidy Principles 1997*; or
 - (b) the care recipient experiences an event likely to increase the level of care needed by the care recipient by:
 - (i) 2 or more domain categories within a domain; or
 - (ii) at least 1 domain category within 2 or more domains; or
 - (c) for a care recipient whose classification level includes the high ADL category and the medium CHC category—the care recipient experiences an event likely to change the level of complex health care needed by the care recipient to the high CHC category.
- (2) Paragraphs (b) and (c) apply to a care recipient who is classified at the interim low level as if the care recipient was classified at the classification level that was determined for the care recipient under subsection 9.3B (2) before applying subsection 9.3B (3).