

EXPLANATORY STATEMENT

STATUTORY RULES 1984 NO. 308

ISSUED BY AUTHORITY OF THE MINISTER FOR HEALTH

NATIONAL HEALTH ACT 1953

NATIONAL HEALTH REGULATIONS (AMENDMENT)

Section 140 of the National Health Act 1953 ('the Act') provides that the Governor-General may make regulations prescribing all matters which are required or permitted by the Act to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Sub-section 47(1) of the Act provides that Commonwealth benefit at the rates, or such higher rates, as are prescribed by regulations, is payable to the proprietor of an approved nursing home, in respect of each qualified nursing home patient, for each day on which the patient receives nursing home care in that nursing home. The rates of benefit for each State and Territory have been increased annually by regulations since 1977, the last such increase having taken effect on 3 November 1983. It again became necessary to increase these rates of benefit to reflect general increases in nursing home fees during the past year.

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The regulations amend Regulation 28A of the National Health Regulations to provide for an increase in the daily rate of benefit as shown in the following table:

	<u>Previous Level</u>	<u>New Level</u>
	\$	\$
New South Wales	32.35	33.35
Victoria	45.15	48.50
Queensland	26.65	28.10
Western Australia	23.40	27.55
South Australia	37.80	39.05
Tasmania	27.00	27.80
Australian Capital Territory	32.35	33.35
Northern Territory	37.80	39.05

Sub-paragraph 47(2)(b)(iii) of the Act fixed \$6.70 or such higher amount as is prescribed by regulations as the minimum amount of daily patient contribution that nursing home patients accommodated in approved non-government nursing homes are required to contribute towards their care and treatment. Such an amount is prescribed by Regulation 29 of the National Health Regulations. Since 1978, the amount of the prescribed

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patient contribution has been determined by reference to the sum of the current rates of standard age pension and supplementary assistance payable under the Social Services Act 1947. The increase in pension rates with effect from 1 November 1984 has made it necessary to increase the amount of patient contribution from that date. The regulations accordingly provide for an increase in the prescribed amount of daily patient contribution from \$12.40 to \$12.75.

The regulations came into operation on
1 November 1984.

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