



Statutory Rules 1990 No. 1

292 /

National Health Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *National Health Act 1953*.

Dated *13 September* 1990.

BILL HAYDEN

Governor-General

By His Excellency's Command,

Peter Staples

Minister of State for Aged, Family and Health Services

1. Commencement

1.1 Regulations 3 and 8 commence on 1 October 1990.

2. Amendment

2.1 The National Health Regulations are amended as set out in these Regulations.

3. New regulation 4A

3.1 Insert after regulation 4:

Nursing home care—prescribed services

“4A. (1) The services, of a kind provided in a nursing home, that are set out in column 2 in an item in Schedule 1A are prescribed for the purposes of the definition of ‘nursing home care’ in subsection 4 (1) of the Act.

“(2) The services set out in column 2 in an item in Schedule 1A include or exclude, as set out in the direction in column 3 in the item, the provision of the goods and services set out in column 3 in the item.

“(3) In Schedule 1A, ‘health professional’ includes the director of nursing, or other person in charge of nursing, at the nursing home.”.

4. Regulation 9 (Functions of Panels)

4.1 Paragraph 9 (c):

Add at the end "and".

5. Regulation 29 (Panels to deal with matters promptly)

5.1 Omit "less", substitute "more".

6. Regulation 31 (Impartiality of Panels)

6.1 Omit the regulation, substitute:

"31. Subject to this Part, a member is not subject to the direction of any other person in respect of any act or thing done in his or her capacity as a member."

7. Regulation 38 (Meetings of Committees of Inquiry)

7.1 Omit "three", substitute "3".

8. New Schedule 1A

8.1 Insert before Schedule 1:

SCHEDULE 1A

Regulation 4A

NURSING HOME CARE—PRESCRIBED SERVICES

Column 1 Item	Column 2 Service	Column 3 Goods and services included or excluded
1	The administration of the nursing home	Includes: maintenance of resident documentation
2	The maintenance of buildings and grounds	
3	The provision of accommodation	
4	The provision of goods to assist residents to move themselves	Includes: crutches, quadruped walkers, walking frames, walking sticks, wheelchairs Excludes: motorised and special purpose wheelchairs and any equipment designed, or custom-made, for a particular resident
5	The provision of goods to assist persons to move residents	Includes: mechanical devices for lifting residents, stretchers, trolleys
6	The provision of furnishings that the resident chooses not to provide	Includes: bed-side lockers, chairs with arms, containers for personal laundry, dining, lounge and recreational furnishings, drawscreens (for ward residents), resident wardrobe space, over-bed tables, towel rails, other wardrobes

SCHEDULE 1A—continued

NURSING HOME CARE—PRESCRIBED SERVICES

Column 1 Item	Column 2 Service	Column 3 Goods and services included or excluded
7	The provision of beds and bedding materials appropriate to each resident's condition	Includes: absorbent or waterproof sheeting, bed linen and blankets, bed rails, hospital-type beds and mattresses, incontinence sheets, restrainers, ripple mattresses, sheepskins, tri-pillows, water and air mattresses
8	The provision of basic cleaning services, goods and facilities	Includes: services, goods and facilities required to maintain cleanliness and tidiness of wards, individual rooms, other areas and the environment of the nursing home
9	The safe disposal of organic and inorganic waste material	
10	The provision of general and personal laundry services	Includes: laundering of clothing that can be machine washed at the nursing home or elsewhere Excludes: cleaning of clothing that requires dry cleaning or other special cleaning process
11	The provision of toiletry goods	Includes: bath towels, denture cleaning preparations, face washers, sanitary pads, shampoo and conditioner, soap, talcum powder, tissues, toilet paper, toothpaste
12	The provision of goods to assist with the toileting, and incontinence management, of residents	Includes: absorbent aids, catheter and urinary drainage appliances, commode chairs, disposable bedpan and urinal covers, disposable enemas, disposable pads, over-toilet chairs, shower chairs, urodomes
13	The provision of assistance in the activities of daily living of residents	Includes: assistance to residents in: (a) bathing, showering, personal hygiene and grooming; and (b) toileting and the management of incontinence, the use of aids and appliances designed to assist incontinence management; and (c) eating, use of eating utensils and eating aids, actual feeding; and (d) dressing, undressing and the use of dressing aids; and

SCHEDULE 1A—continued

NURSING HOME CARE—PRESCRIBED SERVICES

Column 1 Item	Column 2 Service	Column 3 Goods and services included or excluded
		(e) moving, walking, wheelchair use and the use of devices and appliances designed to aid mobility; and the provision of eating and dressing aids Excludes: hairdressing
14	The provision of meals and non-alcoholic beverages	Includes: (a) the preparation and distribution of meals of adequate variety, quality and quantity for each resident, served each day at times generally acceptable to both residents and management, generally comprising 3 meals per day plus morning tea, afternoon tea and supper; and (b) the supply of special dietary requirements having regard to either medical need or religious observance; and (c) the provision of foodstuffs and non-alcoholic beverages including fruit juice and fruit of adequate variety, quality and quantity
15	The provision of basic medical, and pharmaceutical, supplies and equipment	Includes: analgesia, anti-nausea agents, bandages, creams, dressings, laxatives and aperients, mouthwashes, ointments, saline, skin emollients, swabs, urinary alkalisising agents Excludes: any goods prescribed by a health practitioner for a particular resident and used only by the resident
16	The provision of oxygen and oxygen equipment on a short-term, episodic or emergency basis	
17	The performance of nursing procedures	
18	The provision of emotional support to, and supervision of, residents	
19	The administration of medication	Includes: the ordering, reordering, control and dispensing of medications

SCHEDULE 1A—continued

NURSING HOME CARE—PRESCRIBED SERVICES

Column 1 Item	Column 2 Service	Column 3 Goods and services included or excluded
20	The provision of recreational therapy	Includes: (a) recreational activities suited to residents; and (b) assistance to residents in their participation in those activities; and (c) the provision of communal recreational equipment
21	The provision of therapy services	Includes: (a) maintenance therapy delivered by health professionals, or delivered by nursing and personal care staff as directed by health professionals, designed to maintain residents' levels of independence in activities of daily living in accordance with individual care plans; (b) more intensive therapy delivered by health professionals, or delivered by nursing and personal care staff as directed by health professionals, on a temporary basis designed to allow residents to attain a level of independence at which maintenance therapy will meet their needs; and (c) assistance with sensory communication or with the fitting of, and arrangements to maintain, sensory communication aids Excludes: intensive, long-term rehabilitation services required following, for example, serious illness or injury, surgery or trauma
22	The provision of assistance in obtaining health practitioner services	Includes: arrangements for aural, community health, dental, medical, psychiatric and other health practitioners to visit residents whether the arrangements are made with the relatives of the resident, or other persons representing the resident's interests, or are made direct with the practitioner

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 1 1990.
2. Statutory Rules 1954 No. 35 as amended to date. For previous amendments *see* Note 2 to Statutory Rules 1990 No. 24 and *see also* Statutory Rules 1990 Nos. 24, 86 and 114.

21 September