



## Allocation Amendment Principles 1999 (No. 1)

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I, BRONWYN KATHLEEN BISHOP, Minister for Aged Care, make these principles under section 96-1 of the *Aged Care Act 1997*.

Dated *31<sup>st</sup> March*, 1999.

Minister for Aged Care



# Allocation Amendment Principles 1999 (No. 1)<sup>1</sup>

made under the

*Aged Care Act 1997*

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**1 Name of principles**

These principles are the *Allocation Amendment Principles 1999 (No. 1)*.

**2 Commencement**

These principles commence on gazettal.

**3 Amendment of *Allocation Principles 1997***

Schedule 1 amends the *Allocation Principles 1997*.

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## Schedule 1      Amendments

(section 3)

### [1]      Part 5, Division 1

*substitute*

### Division 1      Assessment of applications

#### 4.35 Purpose of Division (Act, s 14-2)

This Division sets out additional matters that the Secretary must consider, in relation to each application for the allocation of places for community care subsidy and residential care subsidy, in deciding which allocation of places would best meet the needs of the aged care community in a region.

#### 4.36 Need for aged care services or need for restructure

The Secretary must consider whether the application:

- (a) is for places distributed in a region under section 12-4 of the Act; or
- (b) demonstrates a need to restructure the aged care services, or group of services, to which the application relates, so that:
  - (i) the long-term viability of the service or services will be improved; or
  - (ii) continuity of care in the region will be improved where this is otherwise at risk.

#### **4.37 Assessment of benefit to current and future care recipients**

The Secretary must consider the extent to which current and future care recipients in the region will benefit if the application is approved.

*Examples*

Examples of matters that the Secretary may take into account for this section include:

- (a) whether the location of the service is in a priority or high need area; and
- (b) whether the type of service meets the greatest needs of the community; and
- (c) whether the allocation of places to which the application relates would offer the Commonwealth or care recipients value for money; and
- (d) whether the service would offer high quality service; and
- (e) if the application relates to residential care — whether the service would offer high quality accommodation; and
- (f) if the application relates to community care — whether approval of the application would improve the region's ability to meet care recipients' preferences for:
  - (i) the kinds of services offered (including respite care, nursing care, personal care and transport services); and
  - (ii) the hours during which care is offered; and
  - (iii) the days on which care is offered; and
- (g) whether the service includes innovations which would enhance service delivery or otherwise help the service to achieve improved levels of care.

#### **4.38 Diversity of choice for care recipients**

The Secretary must consider whether, if the application is approved, the allocation will increase diversity of choice for current and future care recipients, and their carers and families, having regard to:

- (a) the different kinds of provider in the region; or
- (b) the different kinds of services offered in the region.

*Example for paragraph (a)*

Kinds of providers include those from the private sector and the religious and charitable sector.

*Example for paragraph (b)*

Diversity of choice for different kinds of services might be promoted, for instance, in relation to:

- service in a particular location
- service for care recipients who are financially or socially disadvantaged
- service for care recipients affected by dementia
- service for care recipients belonging to an ethnic community
- service for care recipients belonging to an indigenous community
- ageing in place service
- service to meet the needs of couples.

#### **4.39 Continuity of care**

The Secretary must consider whether, if the application is approved, the service to which the application relates would be more likely to be able to offer continuity of care to current and future care recipients.

*Example*

For this section, the Secretary may take into account whether the service has demonstrated its long-term financial and organisational viability.

The Secretary may also take into account whether the application is in respect of places in a region which, at the time of consideration, has a low proportion of services certified under Part 2.6 of the Act.

#### **4.40 Secretary may also consider other matters**

The Secretary may also consider any other relevant matters.

**[2] Section 4.63***substitute***4.63 Additional matters**

- (1) The Secretary must consider the effect of the proposed transfer on the current and future care recipients in:
  - (a) the region from which the places will be transferred if the application is approved; and
  - (b) the region to which the places will be transferred if the application is approved.
- (2) In considering the effect of the proposed transfer on the current and future care recipients, the Secretary must take into account:
  - (a) the extent to which the provision of aged care in the region to which the places are transferred will benefit as a result of the transfer; and
  - (b) the extent to which the provision of aged care in the region from which the places are transferred will be adversely affected as a result of the transfer; and
  - (c) whether the transfer would increase or lessen the diversity of choice available to care recipients in the regions, having regard to:
    - (i) the different kinds of provider in the region; or
    - (ii) the different kinds of services available in the region; and
  - (d) whether the transfer will increase the likelihood of care recipients receiving continuity of care in a region; and
  - (e) any concerns about the transfer expressed by care recipients who are provided care through the applicant's aged care service; and
  - (f) any issue raised by the transferor or transferee in the application to transfer places; and

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- (g) if, after the transfer, the places would relate to the same aged care service:
- (i) the suitability of the premises being used by the transferor, and proposed to be used by the transferee, to provide care through the aged care service, in particular whether the premises would meet the Accreditation Standards or the criteria for certification under the Act; and
  - (ii) for a transferee who owns the premises being used by the transferor, and proposed to be used by the transferee, to provide care through the aged care service and the premises would not meet the Accreditation Standards or the criteria for certification under the Act — the failure of the transferee to have improved the premises.
- (3) However, the Secretary may consider any other relevant matter.

*Example for paragraphs (2) (a) and (b)*

The Secretary may consider whether the transfer would affect the provision, in the regions, of aged care services that meet particular needs, including the provision of respite care services, services for those affected by dementia, ageing in place services and services for couples with differing care needs.

The Secretary may also consider the effect of the transfer on the quality of services provided in the regions and, in the case of community care places, whether there will be an effect on the hours of care available, and the days on which it will be provided.

*Example for paragraph (2) (c)*

Kinds of providers include those from the private sector and the religious and charitable sector.

In considering choice, kinds of services available in the region may include 'extra service' services, ageing in place services, service for those affected by dementia, or services for care recipients belonging to ethnic or indigenous communities.



*Example for paragraph (2) (d)*

The Secretary may take into account whether the service has demonstrated its long-term financial and organisational viability.

The Secretary may also take into account whether the application is in respect of places in a region which, at the time of consideration, has a low proportion of certified services.

**[3] Part 8, Division 2**

*substitute*

**Division 2 Consideration of applications****4.69 Purpose of Division (Act, s 17-4)**

This Division sets out additional matters that the Secretary must consider in deciding whether the variation of the conditions of an allocation is justified in the circumstances.

**4.70 Additional matters to be considered**

- (1) The Secretary must consider the effect of a proposed change of location on current and future care recipients in:
  - (a) the region from which the places will be transferred if the application is approved; and
  - (b) the region to which the places will be transferred if the application is approved.
- (2) In considering the effect of the proposed variation, the Secretary must take into account:
  - (a) the extent to which, after the variation, current and future care recipients in the region in which the service operates will benefit; and
  - (b) whether the variation would increase or lessen the diversity of choice available to current and future care recipients in the region, having regard to:

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- (i) the different kinds of provider in the region;  
or
  - (ii) the different kinds of services available in the region; and
  - (c) whether the variation will increase the likelihood of current and future care recipients receiving continuity of care in the local area within the region.
- (3) However, the Secretary may also consider any other relevant matter.

*Example for paragraph (2) (a)*

The Secretary may consider whether the variation would affect the provision of aged care services that meet particular needs, including the provision of respite care services, services for those affected by dementia, ageing in place services and services for couples with differing care needs.

The Secretary may also consider the effect of the variation on the quality of services provided in the regions and, in the case of community care places, whether there will be an effect on the hours of care available, and the days on which it will be provided.

*Example for paragraph (2) (b)*

Kinds of providers include those from the private sector and the religious and charitable sector.

In considering choice, kinds of services available in the region may include 'extra service' services, ageing in place services, service for those affected by dementia, or services for care recipients belonging to ethnic or indigenous communities.

*Example for paragraph (2) (c)*

The Secretary may take into account whether the service has demonstrated its long-term financial and organisational viability.

The Secretary may also take into account whether the application is in respect of places in a region which, at the time of consideration, has a low proportion of certified services.

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## Note

1. Made by the Minister for Aged Care on 1999.