



Classification Amendment Principles 2005 (No. 1)

Aged Care Act 1997

I, JULIE BISHOP, Minister for Ageing, make these Principles under subsection 96-1 (1) of the *Aged Care Act 1997*.

Dated 21 June 2005

JULIE BISHOP
Minister for Ageing

1 Name of Principles

These Principles are the *Classification Amendment Principles 2005 (No. 1)*.

2 Commencement

These Principles commence on the day that they are registered.

3 Amendment of *Classification Principles 1997*

Schedule 1 amends the *Classification Principles 1997*.

Schedule 1 Amendments

(section 3)

[1] Section 9.3, after definition of *low level of care*

insert

transition care has the meaning given by section 15.28 of the *Flexible Care Subsidy Principles 1997*.

[2] Section 9.29A

omit

extended hospital leave.

insert

extended hospital leave (other than extended hospital leave that is followed immediately by leave as provided by subsection 42-2 (3A) of the Act).

[3] Section 9.29B

omit

extended hospital leave.

insert

extended hospital leave, other than extended hospital leave that is followed immediately by leave as provided by subsection 42-2 (3A) of the Act,

[4] Section 9.29B, at the foot

insert

Note The expiry date for the classification of a care recipient who is on leave from a residential care service for a continuous period of at least 30 days, first as provided by subsection 42-2 (2) of the Act, and later as provided by subsection 42-2 (3A) of the Act, is specified in Division 4 of this Part.

[5] **After section 9.29B**

insert

**Division 4 Expiry date for classification of care
recipient — leave for hospital treatment
followed by transition care**

9.29C Purpose of this Division (Act, s 27-1)

This Division specifies the expiry date for classification of a care recipient who is on leave from a residential care service for a continuous period of at least 30 days, first as provided by subsection 42-2 (2) of the Act, and later as provided by subsection 42-2 (3A) of the Act.

**9.29D Expiry date for a classification of a care recipient — leave for
hospital treatment followed by transition care**

- (1) If:
- (a) a care recipient is on leave from a residential care service, under section 42-2 of the Act, for a continuous period of at least 30 days:
 - (i) initially — as provided by subsection 42-2 (2) of the Act; and
 - (ii) subsequently — as provided by subsection 42-2 (3A) of the Act; and
 - (b) in relation to the classification of the care recipient, the ***nominal expiry date*** occurs either during or after the continuous period of leave;
the expiry date for the classification of the care recipient is the day after the day on which the leave ends.
- (2) For subsection (1), the ***nominal expiry date*** is the day that would be the expiry date for the classification of the care recipient if paragraph 27-1 (2) (a) of the Act applied.