



Aged Care Legislation Amendment (September Indexation and Other Measures) Instrument 2023

I, Anika Wells, Minister for Aged Care, make the following instrument.

Dated 13 September 2023

Anika Wells
Minister for Aged Care

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1 Name

This instrument is the *Aged Care Legislation Amendment (September Indexation and Other Measures) Instrument 2023*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	20 September 2023.	20 September 2023.

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the following Acts:

- (a) the *Aged Care Act 1997*
- (a) the *Aged Care (Transitional Provisions) Act 1997*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Aged Care (Subsidy, Fees and Payments) Determination 2014

1 Amendments of listed provisions—indexation of amounts

The provisions listed in the following table are amended as set out in the table.

Amendments relating to indexation of amounts			
Item	Provision	Omit	Substitute
1	Subsection 64J(1)	\$65.49	\$66.94
2	Subsection 64J(2)	\$42.70	\$43.65
3	Subsection 64J(3)	\$35.87	\$36.67
4	Section 64ZL	\$31,706.83	\$32,718.57
5	Section 64ZM	\$76,096.50	\$78,524.69
6	Paragraph 64ZN(a)	\$193,219.20	\$197,735.20
7	Paragraph 64ZN(b)	\$465,657.60	\$476,205.60
8	Section 64ZO	\$193,219.20	\$197,735.20
9	Section 64ZT	\$10.80	\$11.04
10	Subsection 78(1)	\$17.42	\$17.97
11	Subsection 78(2)	\$34.84	\$35.95
12	Paragraph 79(a)	\$46,384.00	\$47,668.40
13	Paragraph 79(b)	\$60,008.00	\$61,708.40
14	Paragraph 79(c)	\$60,632.00	\$62,332.40
15	Subsection 80(2)	\$6,341.32	\$6,543.66
16	Subsection 80(3)	\$12,682.70	\$13,087.39
17	Subsection 80(4) (wherever occurring)	\$6,341.32	\$6,543.66
18	Section 81	\$76,096.50	\$78,524.69
19	Paragraph 107A(a)	\$10.88	\$11.22
20	Paragraph 107A(b)	\$11.50	\$11.87
21	Paragraph 107A(c)	\$11.83	\$12.20
22	Paragraph 107A(d)	\$12.14	\$12.53

Aged Care (Transitional Provisions) (Subsidy and Other Measures) Determination 2014

2 Amendments of listed provisions—indexation of amounts

The provisions listed in the following table are amended as set out in the table.

Amendments relating to indexation of amounts of supplements			
Item	Provision	Omit	Substitute
1	Subsection 82(1)	\$65.49	\$66.94
2	Subsection 82(2)	\$42.70	\$43.65
3	Subsection 82(3)	\$35.87	\$36.67
4	Subsection 91F(2), table item 1	\$9.76	\$9.98
5	Subsection 91F(2), table item 2	\$6.51	\$6.65
6	Subsection 91F(2), table item 3	\$3.25	\$3.33
7	Section 91H	\$9.76	\$9.98
8	Section 91R	\$10.80	\$11.04

Aged Care (Transitional Provisions) Principles 2014

3 Paragraph 27(c)

Repeal the paragraph, substitute:

(c) a medical practitioner or a nurse practitioner must have certified, in writing, that the care recipient has a continual need for the provision of oxygen;

4 Subsection 118(1) (after table item 31)

Insert:

32 on or after 20 September 2023 and before 20 March 2024 \$23.71

5 Subsection 118(2) (after table item 31)

Insert:

32 on or after 20 September 2023 and before 20 March 2024 \$43.65

6 Subsection 118(3) (after table item 27)

Insert:

28 on or after 20 September 2023 and before 20 March 2024 \$43.65

7 Subsection 118(4) (after table item 31)

Insert:

32 on or after 20 September 2023 and before 20 March 2024 \$36.67

Subsidy Principles 2014

8 Paragraph 26(c)

Repeal the paragraph, substitute:

(c) a medical practitioner or a nurse practitioner must have certified, in writing, that the care recipient has a continual need for the provision of oxygen;

9 Paragraph 76(c)

Repeal the paragraph, substitute:

(c) a medical practitioner or a nurse practitioner must have certified, in writing, that the care recipient has a continual need for the provision of oxygen;