



RESIDENTIAL CARE MANUAL 2009, EDITION 1, UPDATE 1, FOLLOWING LEGISLATIVE AMENDMENTS

The Residential Care Manual has recently been updated to help approved providers comply with their responsibilities under the *Aged Care Act 1997* (the Act) and the Aged Care Principles (the Principles); and to assist the staff of aged care services understand the regulation of residential aged care.

The Manual acts as a plain English guide to Australian Government-subsidised residential aged care, legislated under the Act and the Principles and administered by the Department of Health and Ageing.

Whenever there is a change to either the Act or the Principles, the Department will update the Manual.

Aged care providers were issued with hard copies of the Manual in 2009. However, updates such as the following, which occur throughout the year, will be made to the online version of the Manual only. Providers can then print out these updates and insert them into the relevant sections of their hard copy editions of the Manual.

ABOUT THIS UPDATE AND 2009–10 LEGISLATIVE CHANGES

Several changes to the funding and regulatory arrangements for Australian Government-subsidised residential aged care came into effect in December 2009 and January 2010.

These changes are:

- including care leavers—people who were placed in institutions or out-of-home care as children or young people, including child migrants from Britain—as one of the groups of people with special needs, as of 1 December 2009. See revised sections on **About special needs groups** on page **29** of the online version of the Residential Care Manual and **Eligibility, Residential Care (Capital) Grant** on page **166**
- a revised definition of high care, under the Aged Care Funding Instrument (ACFI), which applies from 1 January 2010. See revised section on **High and Low care classifications** on page **80** of the online version of the Residential Care Manual
- an end to the 28-day exemption for the payment of income tested fees from 1 January 2010. This means that residents who can afford to pay an income tested fee can be asked to pay this fee from their first day of care. See revised sections on **Income-tested fee** on page **130** of the online version of the Residential Care Manual; **Income testing process** on page **132**; and **Hardship, standard resident contribution and care payments (income tested fee)** on page **143**
- an increase in the viability supplement, paid to approved providers whose aged care services are in remote or rural areas, effective 1 January 2010. See revised sections on **Viability supplement** and **Viability supplement—current 2005 scheme** on page **137** of the online version of the Residential Care Manual

The last three of the above changes were outlined in the 2009 Budget, under *Measures to Support Older Australians*.

Care leavers were designated as a new group of people with special needs, following a national apology by the Prime Minister, the Hon Kevin Rudd MP, to care leavers in November 2009. In the apology, the Prime Minister promised to ensure that suitable aged care services would be made available to care leavers.

In order to implement these changes, the Classification Principles, the Quality of Care Principles, the Residential Care Subsidy Principles and the Allocation Principles have been amended and a new determination for the viability supplement has been issued.

For detailed information about these changes, including legislative references, go to the updated sections of the online version of the Residential Care Manual listed above. Additional information on any of these changes is also available from the Aged Care Information Line, Ph 1800 500 853.