



## New report into aged care a sign of things to come

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The regulation of aged care in Australia is set to undergo a major review, as the Royal Commission into Aged Care looks at how to evolve towards a safer, more consumer-driven system that delivers high quality outcomes.

One of the Royal Commission's key [terms of reference](#) is the findings and recommendations of previous relevant reports and enquiries. The release of [another report](#) into residential aged care facilities (**Report**) this week will further inform the Commissioners' minds over the course of their enquiries.

The Report, released by the House of Representatives Standing Committee on Health, Aged Care and Sport (**Committee**), foreshadows some of the shortcomings in the aged care sector the Royal Commission may identify. It also gives some insight into the Committee's current thinking on a number of service-related issues. The following recommendations in particular are relevant to the Royal Commission.

### Key recommendations

#### Abuse and Neglect

First and foremost, the Committee addressed the extent of sub-standard care and incidents of abuse and mistreatment. It supported the move to unannounced audits of residential aged care facilities, and recommended that visits not be confined to business hours. It also recommended that assaults committed by residents with mental impairments no longer be exempt from mandatory reporting requirements.

#### Funding

The Committee recommended reviewing the Aged Care Funding Instrument (**ACFI**) to ensure it provides adequate funding. It proposed that ACFI be indexed annually, and penalties be imposed for breaches of ACFI funding standards. It is also recommended the Medicare Benefits Schedule relating to medical practitioner visits to residential aged care facilities be reviewed. These recommendations may address the increased pressure on the sector to provide affordable and sustainable services, an issue identified in the Royal Commission's Terms of Reference.

#### Stakeholders

#### People that can help



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The Royal Commission will investigate what stakeholders, including families and the wider community, can do to strengthen and support the system of aged care services. The Report proposes developing national guidelines for the Community Visitors Scheme, including policies for

volunteer visitors to follow if they suspect abuse or neglect. It states that consumer information, including the Charter of Rights, should be more accessible to residents and their families.

## Staffing

The quality and availability of health care workers is high on the Royal Commission's agenda. The Committee recommended legislation be introduced requiring residential aged care facilities to have at least one registered nurse on site 24 hours a day. Further, the Committee suggested that the Government monitor and review complaints and findings of elder abuse to determine the correlation between staffing mixes and the standards of care.

## Quality Control

The Royal Commission will review how the current governance arrangements and management support systems affect the provision of aged care. The Committee recommended that the National Aged Care Quality Indicator Program be mandatory for government-funded providers and expanded to include a broader range of key indicators. Further, the Committee proposed an independent review and a parliamentary enquiry into the Aged Care Quality and Safety Commission after two years.

## Restrictive Practices

The Committee proposed that the Aged Care Act 1997 be amended to include mandatory reporting of restrictive practices, and to require that a doctor's recommendation be provided before their use. It has also called for the requirement that legal guardians and/or family members be immediately informed of particular instances of the use of restrictive practices. These recommendations for reform may be echoed by the Royal Commission, as it looks at ways to reduce or eliminate the use of restrictive practices.

## Transparency and Choice

Finally, the Committee recommended that residential aged care facilities be rated using a star rating system, and that the public have access to the numbers of complaints and reportable incidents at each facility via the My Aged Care website. Providers who refused access to the Older Persons Advocacy Network would also be identified in consumer experience reports. These recommendations may be adopted by the Royal Commission so that people may exercise greater choice, control and independence in relation to their care.

## Conclusion

The Report is one of many recent investigations into aged care, most notably the [Australian Law Reform Commission Report into Elder Abuse](#), the [Tune Review](#), the [Productivity Commission Report](#) and the [Carnell-Paterson Review](#). While each report has focused on a particular aspect of the aged care sector, the Commission will focus on the aged care sector as a whole. The interim report will be delivered by 31 October 2019, with the final report due no later than 30 April 2020. A full copy of the Report can be accessed at [www.aph.gov.au](http://www.aph.gov.au).

**For further resources, we encourage you to visit our Royal Commission webpage which is updated regularly with insights and materials.**

If you would like more information please contact [Victor Harcourt](#) from our [Aged Care](#) team.

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