



Aged Care Bill 2023 - Exposure Draft

1 February 2024

Dear Sir/Madam

General comment

Thank you for the opportunity to comment on the Exposure Draft. Pets and Positive Ageing Inc (PAPA) warmly welcomes the Statement of Rights and the description of 'high quality care'. We especially welcome and are greatly encouraged by the references in the Exposure Draft to the right of older Australians to remain connected to animals and pets, as in the following places:

Under Section 19: **Meaning of high quality care**

The delivery of a funded aged care service by a registered provider to an individual is high quality care if the service is delivered in a manner that: (a) puts the individual first; and (b) upholds the rights of the individual under the Statement of Rights; and (c) prioritises the following.....

...(vii) supporting the individual to remain connected to the natural environment, and animals and pets, where the individual chooses to;..

AND

Under Section 20: **Statement of Rights**

..... (12) An individual has a right to opportunities, and assistance, to stay connected (if the individual so chooses) with (a) significant persons in the individual's life and pets, including through safe visitation by family members or friends where the individual lives and visits to family members or friends; ...

We also warmly welcome the commitment to making it possible for older Australians to exercise choice in aged care and its enshrinement in the Statement of Rights.

We have some questions and comments on the Exposure Draft as outlined below.

Specific Questions/Comments

'Assistance'

We welcome the reference in Section 20 (12) to 'assistance' as this relates to (a)-(c) but are uncertain how this is to be interpreted. Could this 'assistance' include provision of funded services or access to the provision of funded services? It would be helpful to have an explanation of this.

Further, in relation to Section 47 (2) (b) and Section 49 we are unclear under what category 'assistance' would fit. Could this be clarified please?

Assessments and funded services

We are unclear how assessments will be framed and what these will include or not include. We presume this will be covered in the Rules.

We consider it will be important for individuals, families, supporters and representatives to know in advance broadly the questions and issues to be addressed rather than simply being asked often-difficult questions 'cold' on the day and in stressful circumstances.

Section 49 outlines the criteria for the provision of funded services but could more specific 'standard questions' or even 'standard issues' for funded services be made transparently available, perhaps on a website? Could this be required in the Act? The questions and issues will of course, be expanded upon during the process, subject to the information provided, and may of course change over time as the *Support at Home* program develops but this would allow for an understanding of what basic questions are to be asked and answered in this process.

Further in relation to Section 49, the assessment process for in-home support services must include **a question about what pet or pets there are in the household** (and would be required given the reference in legislation) **and another about what relevant assistance may be required**. It is not clear what subpara this falls into. Is it under Section 49 (1) (b) (i)??

These questions about pets in the household need to be included in the new single assessment process when it comes into effect in July 2024. Answers recorded by assessors at that time will provide relevant data about individuals, including those later transitioning to the *Support at Home* program. If the new single assessment process in 2024 does not include relevant questions there will be no information whether there is a pet in the household, no understanding of the connection of a person to the pet, and no macro data to inform relevant Government policies.

Unfunded services

What part of the legislation could cover a range of **part-funded or unfunded services** that may be provided by aged care providers in addition to fully funded services? We and the Companion Animal Network (CANAN) have put the case for a variety of very limited services, some of which may involve minimal or no cost to taxpayers, and others that can be client-funded or co-funded based on means testing results. This may involve providers engaging 'associated providers'.

Rules

Section 44 refers to an assessment tool prescribed by the 'rules', and these 'rules' are also mentioned elsewhere, including Section 413. It is not clear what are these 'rules' and how these will impact the assessment process. Will the 'rules' be made transparently available? Are these to be consulted or simply made by the Minister and brought into effect?

It would be helpful to have information on these issues and some clarifications.

Three-year review period

We agree with COTA and OPAN there should be a three-year review to tidy up the legislation as there will be a settling in period when many issues will need to be ironed out. It is best to do that sooner rather than later, in the interests of all.

Background on PAPA: Pets and Positive Ageing Inc (PAPA) is a voluntary organisation that advocates to help keep older pet owners and their beloved pets together, in the interests of older pet owners and their pets. PAPA has members in the ACT, Victoria, NSW, Queensland and WA. Formed after a groundbreaking Community Conversation in Canberra in 2012 about Pets and Aged Care, hosted at the ACT Legislative Assembly by then MLA and now Patron Mary Porter AM, PAPA will celebrate its 10th anniversary in March 2024.

We have copied this Submission to OPAN, COTA and CANA.

Yours sincerely

Di Johnstone AM
President
Pets and Positive Ageing Inc


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