

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Monday, 12 February 2024 5:52 PM  
**To:** Aged Care Legislative Reform  
**Subject:** Feedback on Aged Care exposure draft  
**Attachments:** RE: Feedback on Aged Care exposure draft [SEC=OFFICIAL]

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Dear Sir/Madam

Following are my individual feedback only

-page 146 section 121 part 7- (In my reading I have interrupted a responsible person includes a Board member)  
A responsible person of a registered provider commits an offence 6 if: 7 (a) the person has a duty under subsection (1); and 8 (b) the person engages in conduct; and 9 (c) the conduct amounts to a serious failure by the responsible 10 person to comply with the duty. 11 (d) the conduct results in the death of, or serious injury to, or 12 illness of, an individual to whom the duty in section 120 is 13 owed by the registered provider....1000 penalty points or 5 years imprisonment, or both-

I understand the seriousness of such a situation being considered and addressed in the event it should happen, however I object to jail time for a responsible person that is a Board member , especially ones that are volunteers. Its important for the proper running of aged care for Board members to have appropriate skills, and to ensure proper governance, including addressing risks of the Board, such a penalty in my opinion would stop people with appropriate skills volunteering to be on the Board. I suggest 1000 penalty points or financial penalty or not allowed to be a aged care board member or any of these.

I read the draft as not considering a combination of residential care and retirement village care. Does the Act consider those in retirement village that may need nursing care? As people are encouraged to live in their own home longer, or a retirement village, I believe there should be consideration of a blended retirement/residential model to slow transition to residential model.

Page 150 point 130 An entity that is a constitutional corporation and the operator of an aged care digital platform must:....

I believe all residential care groups operating an aged care digital platform should be obliged to undertake points a to c, so all residential care groups have same responsibilities.

In considering points d to f if not all organisations are reporting when statistics come out I question how the statistics cover all aged care facilities.

Thank you for the opportunity

[REDACTED]