New Aged Care Act – exposure draft feedback

Chapter 2

10.) What transitional arrangements would you like to see put in place to ensure there is a smooth transition to the new eligibility arrangements and to manage any impacts on people who do not meet the eligibility criteria?

Staff Support and Training:

- Provide appropriate communication and support to existing assessment staff to mitigate workforce issues.
- Offer clear training and guidelines on the new Act and assessment criteria.
- Support upskilling of current staff into triage delegate roles promptly.
- Management of Existing Clients:
- Clarify procedures for clients already on waitlists who no longer meet eligibility requirements.
- Develop a plan to re-triage everyone on existing waitlists to determine eligibility for a needs assessment.

Maintaining Commonwealth KPIs:

- Ensure transition arrangements allow for the maintenance of Commonwealth Key Performance Indicators (KPIs) and timeframes.

Equitable Access to Services:

- Ensure equitable access to adequate Community Home Support Programme (CHSP)/home care services for those found ineligible for needs assessment. If the person is deemed ineligible for a needs assessment for CHSP, consideration also needs to be given to how the person is then linked into alternative pathways.

Transition Arrangements for Organisations:

- Establish transition arrangements for both exiting and new entry organisations to sustain KPIs.

Workforce Impact and Support:

- Enhance support for the MAC call centre to troubleshoot issues, manage priorities, and address delays.
- Provide support for current staff retention, communication, and education on legislative changes and transition processes.
- Address concerns about workforce changes and provide necessary support, including upskilling for new processes related to MAC.

Managing Assessment Tools and Waitlists:

- Address differences between simple and complex assessments in managing the new IAT tool.
- Consideration of development strategies for managing existing waitlists and re-triaging clients to ensure equity of access and clients are seen at the right time.

Meeting Eligibility Criteria:

- Provide timely and specific training for staff on eligibility criteria under Section 39.
- Consider establishing a guidance framework for delegates to assist in determining eligibility criteria.

Consumer Support and Guidance:

- Identify pathways for consumers to access support if they do not meet eligibility criteria.
- Provide guidance to consumers on what constitutes eligibility for assessment, especially for CHSP entry.

Transitional Training and Assessment Procedures:

- Develop specific training for staff on the transition and assessment procedures under the new eligibility arrangements.

Addressing these points comprehensively will contribute to a smoother transition and effective management of impacts on individuals and organisations affected by the new eligibility arrangements.

11.) Do you consider there are alternative services that can, or should, be made available for Aboriginal or Torres Strait Islander persons aged 45-49 who are homeless or at risk of homelessness?

In considering alternative services for Aboriginal or Torres Strait Islander persons aged 45-49 who are homeless or at risk of homelessness, several key points should be addressed:

Cultural Sensitivity and Identification:

- Ensure any alternative services prioritise cultural sensitivity and actively identify Aboriginal or Torres Strait Islander individuals within this age group who are homeless or at risk of homelessness.

Support and Liaison Officers:

- Provide support persons or Aboriginal liaison health officers to assist and guide First Nations individuals through the assessment and support process, recognising the specific needs and cultural considerations of this demographic.

First Nations Workforce and Co-Design:

- Consider the importance of incorporating a First Nations workforce in the development and delivery of alternative services, ensuring cultural understanding and relevance in the support provided.

Culturally Safe Tools and Services:

- Ensure any assessment tools and services offered are culturally safe and validated for First Nations individuals, addressing unique cultural considerations and needs.

Equitable Access and Choice:

- Explore alternative services that provide equitable access to culturally appropriate care, recognising the principles of choice and control for Aboriginal or Torres Strait Islander individuals in navigating support systems.

Specific Support Pathways:

- Develop clear pathways or specific support services tailored to assist First Nations individuals aged 45-49 who are homeless or at risk of homelessness, addressing any confusion regarding access to benefits or support options between NDIS and Aged Care services.

Regional Considerations:

- Evaluate the availability and adequacy of services within Service Areas to ensure that Aboriginal or Torres Strait Islander persons in this age group have access to appropriate and adequately staffed services that meet their cultural and support needs.

By considering these points, it becomes possible to identify and implement alternative services that effectively support the needs of Aboriginal or Torres Strait Islander persons aged 45-49 who are homeless or at risk of homelessness, while ensuring cultural sensitivity, equity, and accessibility.

13) Is there anything else you would like to see specified in the legislation regarding the needs assessment process?

When considering specifications for the legislation regarding the needs assessment process, several key points should be addressed:

Triage Delegate's Role and Decision-Making:

- Clarify how the legislation supports the triage delegate in determining who is eligible for a needs assessment, especially considering the current eligibility criteria for clients 65 years and over with care needs.

Appealable Decisions:

- Specify whether the triage delegate's decision is appealable including the timeframe criteria, particularly in cases where there is a need for re-assessment.

Specificity of Decisions:

- Define the specificity of the triage delegate's decision regarding eligibility for care, including whether it indicates the type of care (e.g., respite, permanent care).

Outcome Discrepancy and Appeals:

- Address whether the needs assessment outcome can differ from the triage delegate's decision and whether this discrepancy is appealable.

Consistent Framework and Assessment Tools:

- Ensure there is a consistent framework, assessment tool and correspondence to the consumder/referrer used by the triage delegate at the point of triage, as prescribed by the legislation.

Approval Criteria for Respite/Permanent Care:

- Provide more clarification on the approval criteria for respite/permanent care, particularly regarding the necessity of an ongoing nursing need for eligibility.

Prioritisation and Changes in Urgency:

- Define the process for prioritizing services, including what happens if a client's urgency for aged care changes after their needs assessment and whether a re-assessment is required.

Consideration of Carers:

- Include provisions in the legislation that consider the role and needs of carers in the assessment and care planning process.

Language and Terminology:

- Address concerns regarding complex language and terminology used in the legislation to ensure clarity and accessibility.

By addressing these points in the legislation, it's possible to provide clearer guidance and support for the needs assessment process, ensuring fairness, transparency, and effectiveness in determining eligibility for aged care services.

14) Regarding the proposed arrangements to maintain flexibility in varying services under the Commonwealth Home Support Programme (CHSP) when the Act is introduced, several points should be considered:

Alignment with Support Plan Review Processes:

- The proposed arrangements appear to align with current support plan review processes, providing consistency and familiarity for clients and service providers.

Conditional Approvals for Services:

- The ability to provide conditional approvals for services in the future is beneficial, particularly for clients with rapidly progressing conditions. It allows for timely access to needed supports and can save resources by avoiding unnecessary reassessment decisions.

Access to Emergency Support:

- Consideration should be given to ensuring access to emergency support within the CHSP framework to address urgent and critical needs of clients, especially in situations where service gaps impact flexibility and responsiveness.

Culturally Appropriate Care:

- It's important to enhance access to culturally appropriate care within the CHSP, recognising the diverse needs and preferences of clients from different cultural backgrounds.

Equitable and Priority Access to Services:

- Systems should be in place to ensure equitable and priority access to CHSP services, addressing potential disparities and ensuring that those with the greatest need receive timely support.

By addressing these considerations, the proposed arrangements for maintaining flexibility in varying services under the CHSP can effectively meet the evolving needs of clients while ensuring responsiveness, equity, and cultural appropriateness in service delivery.

15) When evaluating the clear arrangements in place under the new Act for a classification decision to be reviewed and changed if required, several considerations arise:

Reclassification Process for Permanent Residential Care:

- Clarification as to whether reclassification for permanent residential care is conducted by the single assessment workforce, or another provider, such as AN-ACC assessors.

Streamlining Initial Point of Contact and Review Pathway:

- Streamline the initial point of contact and review pathway, ensuring clarity and efficiency in accessing the appropriate channels for classification review, whether through the MAC or Commonwealth.

Simplification of Language:

- Simplify the language used in the Act to enhance understanding and accessibility for both clients and providers.

KPI Structures and Expectations:

- Define the KPI structures associated with classification reviews, including clear expectations regarding timelines and outcomes.

Review Process for AN-ACC Classification Decision:

- Specify how and by whom an AN-ACC classification decision will be reviewed, addressing concerns about the complexity of the language and ensuring transparency in the review process.

Recognition of Changes and Alterations:

- Ensure that the review process acknowledges changes in the client's needs and circumstances and allows for appropriate alterations in the classification decision.

Reviews for Increased Level in the Same Classification:

- Address discrepancies in the review process, particularly regarding the addition of new services within the same classification level.

Clinician Involvement in Reviews:

- Recognise the importance of having the original clinician ideally conduct the review, although it may not always be achievable due to practical constraints, and multiple Assessment Organisations within a service area.

16) When developing alternative entry arrangements for emergency entry to aged care under the new Act, it's crucial to address the following feedback points:

Emergency entry arrangements:

- It is currently unclear what the new Act will define in terms of eligibility for emergency entry. Is this referring to 'emergency' for the individual? If so, it is important that the gerontologic lens be maintained so that potentially reversible conditions are not missed.

Provider Support and Confidence:

- Ensure that the Commonwealth provides adequate support to providers to accept clients into care in emergency cases. Providers need confidence that classification and needs assessments will occur promptly to provide appropriate care.

Clarification for Younger People:

- Provide more clarification on the process for younger people accessing emergency care and who makes the decision, particularly whether the triage delegate is involved in approving emergency access to care types.
- Clarify if the proposed 'younger person's delegate' role will continue under the new Act.

Decision-Making and Eligibility:

- Clarify whether the triage delegate or needs assessment team is involved in approving emergency access to care types prior to a needs assessment and establish protocols for handling cases where a client is found ineligible after emergency care is provided.

Scope of Emergency Care:

- Determine whether emergency care includes all care types or is limited to specific types (e.g., residential care - permanent care or respite, transition care).

- If an approval type is time limited – ensure the system has satisfactory alerts in place for service providers.

Pathways for Diversion from ED:

- Consideration must be given to increasing pathways for diversion from emergency departments, including out-of-hours access to emergency respite and support for aged care facilities to admit clients on weekends.
- Address the need for after-hours access to care, particularly weekend admissions, and establish clear processes for alerting assessment teams of entry to care and providing documentation of urgent circumstances in a timely manner.
- Define timeframes from entry to assessment to streamline the process and minimize delays.

Clear Eligibility Criteria and Communication:

- Establish clear eligibility criteria for emergency care and ensure effective communication of these criteria to providers, clients, and relevant stakeholders.

By addressing these feedback points, alternative entry arrangements for emergency access to aged care under the new Act can be developed to ensure efficient, responsive, and appropriate care for clients in emergency situations.