

**Submission by the Australian Nursing and Midwifery Federation**

# **New Aged Care Act Rules Consultation – Release 2a – Funding for Support at Home program**

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**Australian  
Nursing &  
Midwifery  
Federation**



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## Introduction

1. The Australian Nursing and Midwifery Federation (ANMF) is Australia's largest national union and professional nursing and midwifery organisation. In collaboration with the ANMF's eight state and territory branches, we represent the professional, industrial and political interests of more than 326,000 nurses, midwives and care-workers across the country.
2. Our members work in the public and private health, aged care and disability sectors across a wide variety of urban, rural and remote locations. We work with them to improve their ability to deliver safe and best practice care in each and every one of these settings, fulfil their professional goals and achieve a healthy work/life balance.
3. Our strong and growing membership and integrated role as both a trade union and professional organisation provides us with a complete understanding of all aspects of the nursing and midwifery professions and see us uniquely placed to defend and advance our professions.
4. Through our work with members, we aim to strengthen the contribution of nursing and midwifery to improving Australia's health and aged care systems, and the health of our national and global communities.
5. The ANMF thanks the Department of Health and Aged Care for the opportunity to provide feedback on the New Aged Care Act Rules – Release 2a – Funding for Support at Home program (the Rules).
6. A fundamental concern for the ANMF is the extent to which the Rules have accounted for the provision of universal healthcare (as aged care is healthcare and should be considered as such) to all Australians in relation to the increasing cost of living for community members, particularly those from vulnerable backgrounds and who have experienced or continue to



experience hardship. For example, it is well established that women are often financially more vulnerable than men with a larger proportion of older women having significantly less savings and assets at retirement. Without careful consideration of how the Rules (and the Act more generally) ensures that vulnerable groups have equitable access to high-quality aged care services via the Support at Home program, the health and wellbeing of many older Australians is put at risk. As co-contributions will form a part of the way that care is funded, consideration is needed to ensure that Support at Home clients are not put in a position where they need to make choices between accessing or missing certain needed services where their lack of financial resources and hardship means that they cannot access all the services they require to achieve the best possible outcomes.

#### Transparency and accountability on the use funding

7. It is vital that sufficient funding is aligned to services to be provided through the Support at Home program to ensure that activities are effectively supported and provided and not rushed or missed. Further, clear requirements around the use of funding by providers will be essential to ensure that both clinical and personal care activities that are paid for are delivered. As Australia's aged care sector evolves under the new legislation, it is critical that registered providers uphold their responsibilities to ensure that allocated funds are used effectively, transparently, and directly to improve the quality of care delivered to older Australians accessing services via the Support at Home program. Here, transparency and accountability are not just important, but essential.
8. It is critical that the Rules support services and care to be delivered as promised. The primary purpose of funding under the Support at Home program is to deliver quality, person-centred care to those in need. Transparency ensures that these funds are being directed to the services for which they are intended—personal care and clinical care. When aged care providers are accountable for their financial practices, it guarantees that the resources allocated for these vital services are not diverted elsewhere but are fully utilised for the benefit and better outcomes of clients. This enables the timely and effective delivery of high-



quality care and services, as intended by the program.

9. Another central tenet of the new Act is to protect vulnerable older Australians. Older Australians receiving care at home are a highly vulnerable population. They, their families, and their care team deserves to know that the care and services provided via the Support at Home program are being funded appropriately. Clear and accessible financial reporting from providers ensures that funding is being used for its intended purpose, safeguarding the needs and well-being of older Australians. Accountability helps protect against mismanagement and misuse of funds, which could negatively affect the quality of care and potentially compromise the safety of older people and workers.
10. Transparency in the use of funds fosters trust within the community, particularly among consumers, their families, and the workforce. By demonstrating clear, open financial practices, aged care providers show their commitment to upholding the integrity of the Support at Home program and the new Aged Care Act. This transparency is essential for maintaining public confidence in the aged care sector, especially after past and very valid concerns about financial mismanagement and poor care outcomes. A transparent approach assures the public that funds are being used to enhance, not undermine, care quality.
11. The Support at Home program is funded through taxpayer dollars and co-contributions from older Australians. It is imperative that these funds are used in the most efficient and effective manner possible. Accountability in funding allocation ensures that public resources are being maximised for the benefit of those who need them most. This includes ensuring that funds allocated for personal care and clinical care go directly into services that meet the high standards required by the new Aged Care Act, rather than being siphoned off into administrative overheads, excessive profits, or other areas not directly impacting care and the outcomes of clients.
12. Transparency and accountability promote continuous improvement in the delivery of care and enable ongoing monitoring and evaluation of aged care services. When funding is used



appropriately, it provides a foundation for assessing the effectiveness of care delivery and evaluation of the relationships between funding, care provision, and care outcomes. Publicly available financial reporting and performance data make it easier to identify areas for improvement and ensure that funding is consistently aligned with quality outcomes. This will contribute to the long-term improvement of care standards across the sector which is necessary.

13. The new Aged Care Act will introduce a more robust regulatory framework, with clearer expectations for providers to be transparent in their operations and accountable for the use of public funds. These rules are in place to ensure that funds under the Support at Home program are being used to deliver the highest standard of personal and clinical care. Providers who fail to meet these standards not only risk financial penalties but also the potential for loss of public trust and legal scrutiny. Compliance is not optional—it is a fundamental obligation. As the aged care sector continues to reform and evolve, transparency and accountability in funding and care delivery are not just regulatory requirements but ethical imperatives. It is crucial that the Rules support and provide a framework for aged care providers to uphold these principles to ensure the integrity of the Support at Home program and most importantly provide high quality, accessible, and affordable care to clients delivered by a well-supported and appropriately costed workforce.

#### Equitable access to services

14. The ANMF strongly supports the principle that all clients of the new aged care Support at Home program must be afforded equity of access to essential personal and healthcare services as informed and directed by the Rules. This is a fundamental component of the new Aged Care Act, which aims to ensure that all older Australians, regardless of their background or circumstances, can receive high-quality care in their homes tailored to their individual needs.
15. Equity of access means that all individuals, regardless of their socio-economic status, geographic location, or cultural background, have the right to access the same high standards



of personal and healthcare services. This is crucial to prevent disparities in care outcomes. The Support at Home program must ensure that people in regional, rural, or remote areas, as well as those from diverse cultural or linguistic backgrounds, are not disadvantaged by where they live or who they are. Fit-for-purpose Rules around funding for services are necessary to address these challenges by creating a flexible, adaptable framework that meets the unique needs of every client and supports sufficient funding for these services.

16. Historically, many older Australians have faced barriers in accessing the care they need, particularly those from disadvantaged communities. These barriers include financial constraints, limited availability of services, and systemic neglect of certain groups, such as Aboriginal and Torres Strait Islander peoples, those with disabilities, people experiencing hardship, and individuals living in rural or remote areas. The Support at Home program, underpinned by the new Aged Care Act, provides an opportunity to rectify these disparities. It is vital that the rules governing the funding of this program are designed to ensure that all clients, regardless of their personal circumstances, can access the appropriate care without discrimination or undue hardship.
17. Equity of access is also central to the principle of person-centred care, which is a cornerstone of the new Aged Care Act. Clients should be able to receive the care and services that are tailored to their individual needs, preferences, and goals. To achieve this, the Support at Home program must ensure that all clients, no matter their background, have access to a range of personal and healthcare services that support their specific needs. Fit-for-purpose Rules around funding available services help ensure that the delivery of care is responsive to these diverse needs and provides a foundation for care that respects the dignity and preferences of each person.
18. Equitable access to personal and healthcare services ensures that older Australians are able to maintain or improve their health and well-being in their later years. In rural, regional, and remote areas access to the same variety of services as metropolitan counterparts is constrained. When clients have access to the right services, at the right time, they are more



likely to experience better outcomes, such as improved mobility, reduced hospital admissions, and a better quality of life. The new Aged Care Act and the Support at Home program must work together to ensure that funding is allocated in a way that enables all eligible clients to receive the care they require. This is especially important for those who may have complex health needs or who require ongoing clinical support.

### Nurse practitioners

19. In relation to the applicability of oxygen supplement, at Section 196B(c) the Rules state that the oxygen supplement applies to an individual for a day if “a medical practitioner or a nurse practitioner has certified, in writing, that the individual has a continual need for the provision of oxygen.” Elsewhere in the document, however (e.g., Section 196(C) that relates to the enteral feeding supplement and 211B(2) that relates to the account period for classification type short-term for available assistive technology account balance) only a medical practitioner is noted as the certifying healthcare professional. Here, nurse practitioners should also be listed as eligible to certify an individual’s need for enteral feeding or having been diagnosed with the listed conditions. This would improve efficiency and access to care where nurse practitioners are available to take on this role.

### Missing sections in the Rules

20. Finally, we note that many sections of the Rules remain yet to be drafted or released. This prevents stakeholders from making any comment on these sections and highlights that as such, our feedback on the Rules – Release 2a Funding for Support at Home program might not cover all the issues that would have otherwise been identified had a final and complete consultation draft been provided for feedback.