



MEDIA RELEASE

Review of the *Aged Care Act 1997* Developing the Reform Agenda

Aged Care Association Australia (ACAA) is pleased to announce it has engaged Julie McStay of Hynes Lawyers (Hynes) to undertake a long awaited review of the *Aged Care Act 1997* (Cth) (Act). This marks a very important first step forward in the reform of community and residential aged care in Australia. It also demonstrates the ACAA's commitment to addressing the concerns and difficulties in the provision of community and residential aged care currently being experienced by both for profit and not-for-profit providers of residential and community aged care in Australia.

As a collaborative effort by Hynes and the ACAA, the review will involve significant industry consultation and will ultimately result in the preparation of a report to be submitted to Government and to the Opposition. The report will identify the aspects of the Act which are currently impeding the continued viability and growth of the industry, as well as identifying a series of realistic and workable reforms.

After an initial consultation, undertaken as a part of the review, it was clear that there are four key areas of the Act that the majority of providers agree are in most urgent need of reform. They are:

- the accreditation process;
- the complaints investigation scheme;
- care fees and accommodation charges; and
- the allocation process.

The framework for the review will revolve around identifying how the current provisions in the Act which regulate these topics should be reformed to improve the long time viability of the industry whilst continuing to achieve the policy objectives of the legislation. A survey tool will soon be issued jointly by the ACAA and Hynes to as many other providers across the country as possible including all of the members of the ACAA. The survey tool will seek to gather data to indicate industry preferences for the reforms necessary to allow the Act to continue to

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achieve its objectives while also allowing the industry to grow to meet current and likely future demand.

Once the survey is complete a report will be prepared based on the data collated in the survey to illustrate the proposed reforms to the legislation which have the support of the industry.

ACAA and Hynes will jointly submit the report to the Commonwealth Minister for Ageing and the Shadow Minister for Ageing.

The health and aged care team at Hynes has many years experience in providing corporate and commercial advice to community and residential aged care providers placing it in an excellent position to comment on and undertake a review of the Act.

Both Hynes and the ACAA are concerned that to date the government has failed to address the long term reform issues needed within the Australian community and residential aged care system. It is hoped that the Ministers will support the widespread calls for review and reform of the Act as the survey results will surely demonstrate the need for urgent action.

Reform to the Act is required today if the community and residential aged care system currently in existence in Australia is to evolve to meet the needs of tomorrow.

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