

Public Hearing - 28 April 2021 - Registered Nurses Inquiry

From:
To: [Registered Nurses](#)
Subject: HPE CM: Re: Provisions of the Public Health Amendment (Registered Nurses in Nursing Homes) Bill 2020 - Post-hearing responses - Hearing 28 April 2021
Date: Tuesday, 4 May 2021 1:25:47 PM
Attachments: [Edited 2018-19-acar-results-residential-aged-care-places-and-capital-grants_0.xlsm](#)
[edited for NSW service list Australia-at-30-June-2020.xlsx](#)

Thank you Tina.

The transcript is fine and I have no amendments to suggest.

As to the questions taken on notice, there were two.

First, the RN 24/7 requirements do not apply to residential aged care facilities (RACFs) which commenced operation after 30 June 2014, when the Living Longer Living Better reforms were implemented. To arrive at an estimate of how many new RACFs or service places within new RACFs, reference needs to be made to the annual Aged Care Allocation Rounds (ACARs): <https://www.health.gov.au/initiatives-and-programs/2020-aged-care-approvals-round-acar> . Of specific interest are ACARs covering the period 2014/2015 to 2019/2020. I have only been able to find specific information for 2018/2019: <https://www.health.gov.au/initiatives-and-programs/2018-19-aged-care-approvals-round-acar> . I have attached the spreadsheet in edited form, which shows that 2,578 places were allocated to 23 new NSW services (RACFs) in 2018-2019. We're in the sixth (financial) year since Living Longer Living Better started, so a simple and perhaps simplistic extrapolation would yield an estimate of 138 new RACFs starting operation in NSW (with 15,468 places) after 30 June 2014. I stress this is a back-of-envelope estimate.

It should also be noted that services places can be traded between approved residential aged care providers. It is therefore possible for an RACF which commenced operation after 30 June 2014 to have acquired service places from an RACF which was already operating at 30 June 2014, thus removing the RN 24/7 protection in relation to those places. I don't know if this has actually occurred, but I suspect it has.

According to the aged care service list (30 June 2020) - <https://www.gen-agedcaredata.gov.au/resources/access-data/2020/october/aged-care-service-list-30-june-2020> - there were 72,269 NSW residents in 882 RACFs. The operational configuration of between 30 and 40 RACFs involves multiple services due to them historically operating hostels as opposed to nursing homes. I have attached an edited service list for NSW.

In conclusion, quite a significant proportion of NSW RACF residents are not covered by the current RN requirements.

Second, CPSA's membership as at last count, 13 April 2021, was 18,649.

I'd like to make an additional comment. Towards the end of my testimony I referred to my lack of confidence in the policing the existing RN [requirement](#) by NSW Health. I want to stress this concern is not caused by any perceived or real recalcitrance on the part of NSW Health but by the obstacles NSW Health faces if it wants to check if NSW pre-2014 RACFs are complying with the NSW requirements. These obstacles are carefully and deliberately included in the federal Aged Care Act 1997, which makes any information relating to the affairs of an approved provider protected information. Information about staffing of an RACF is currently protected information. This would make NSW Health's task very difficult if not impossible. I'm not aware of any exemptions that would apply. My understanding is that the NSW Fire and Rescue can do fire regulation checks in NSW

RACFs because the Aged Care Act 1997 explicitly authorises this.

Regards

Paul Versteege

Policy Manager

Combined Pensioners & Superannuants Association

Address: CPSA, Level 3, Lachlan Tower, 17-21 Macquarie Street, Parramatta NSW 2150

Web: cpsa.org.au **Twitter:**

@CPSANSW **Facebook:** www.facebook.com/combined.pensioners

[Donate to CPSA](#). All donations of \$2 and above are tax deductible.

Speaking up for pensioners since 1931.

This email (including all attachments) is intended solely for the named addressee(s). It is confidential and may contain legally privileged information. If you receive it in error, please let us know by reply email, delete it from your system and destroy any copies.

