

**Submission
No 17**

**INQUIRY INTO PROVISIONS OF THE PUBLIC HEALTH
AMENDMENT (REGISTERED NURSES IN NURSING
HOMES) BILL 2020**

Organisation: NSW Health
Date Received: 9 February 2021

NSW Health submission

Inquiry into the Provisions of the Public Health Amendment (Registered Nurses in Nursing Homes) Bill 2020



Health

NSW Health Submission

Select Committee on the provisions of the Public Health Amendment (Registered Nurses in Nursing Homes) Bill 2020

NSW Health is pleased to provide the suggestions below to the Select Committee for its consideration.

NSW Health notes that the Terms of Reference for this Select Committee closely intersect with the issues explored by the Royal Commission into Aged Care Quality and Safety ('the Royal Commission'). The Commissioners are required to provide a final report to the Australian Government by 26 February 2021.

In October 2020, the Counsel Assisting the Royal Commission presented their [final submission](#) and made 124 recommendations for the Commissioners' consideration, many of which are likely to inform the final report. Many of the recommendations propose sweeping reform to the aged care sector, particularly on staffing and quality of care in residential aged care facilities.

The Australian Government has full policy, funding and regulatory responsibility for the aged care system. The NSW Government has a longstanding position that it is the Commonwealth's role to regulate the standards, staffing and quality of care in this sector.

NSW Health recommends that no legislative changes are progressed in NSW, until the Royal Commission's final report and the Australian Government's response have been considered.

The implementation of changes at this time, which are consistent with the *Public Health Amendment (Registered Nurses in Nursing Homes) Bill 2020*, would compromise the financial viability of small providers who are not currently required to have a registered nurse on site at all times. Many of these facilities are in rural and remote locations where there is already limited access to aged care services.

Therefore, any changes to NSW legislation need to be considered in the context of any financial arrangements and legislative reform implemented by the Australian Government following their consideration of the final report of the Royal Commission.