

Supplementary
Submission
No 19a

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

Organisation: NSW Aged Care Roundtable

Date Received: 14 May 2021

**Supplementary submission by the NSW Aged Care Roundtable to the Select Committee
Inquiry into the Public Health Amendment (Registered Nurses) Bill 2020
14 May 2021**

The NSW Aged Care Roundtable consists of medical, nursing, carer advocacy and consumer advocacy organisations. Collectively, we represent the frontline healthcare workforce and those accessing services. We thank the Committee for allowing us to provide a brief supplementary submission confirming our position regarding:

- Rural and remote access to registered nurses (RNs) 24/7
- The federal government response to the Royal Commission into Aged Care Quality and Safety final recommendations and Budget 2021/22

[Rural and remote access to RNs 24/7](#)

We have heard during this Inquiry that mandating RNs in residential aged care facilities 24/7 will disadvantage country residents and be financially unviable for rural providers. We won't accept a two-tier system where it is mandated in some parts of the state and not others. If the issue pertains to resourcing, recruiting, and retaining RNs in the bush then this should form part of the recommendations as an urgent action for the NSW government.

Rural healthcare provides opportunity for RNs and Nurse Practitioners to work to their full scope of professional practice, and support GPs and outreach services in delivering quality primary health and aged care services. Many RNs in small communities work across both public and private health and aged care services enabling pooling of resources and sharing of professional expertise, ultimately providing a better outcome for local people and reducing health inequalities. This will lead to a net gain for the local health workforce and improvements in that community's development.

For Aboriginal communities, particularly in very remote parts of NSW the NSW government should actively seek to provide enhanced incentives and programmes to increase numbers of Indigenous RNs, working with Aboriginal Health Practitioners (AHP) who are regulated by the Aboriginal and Torres Strait Islander Health Practice Board of Australia and who are qualified to deliver culturally appropriate health and aged care services. This would ensure the requirement for RN 24/7 could be universally applied without exemption and go some way towards addressing health inequalities still prevalent within NSW Aboriginal communities.

[The federal government response to the Royal Commission into Aged Care Quality and Safety final recommendations and Budget 2021/22](#)

We believe the federal government has not gone far enough, soon enough to safeguard NSW residents within its Budget 2021/22 and response to the Royal Commission. The Aged Care Act review is not due until 1 July 2023 and even then, does not guarantee any movement on its ambiguously worded requirement for aged care providers to provide adequate and sufficient

staffing. This ambiguity creates problems in interpretation for both regulator and provider and makes enforcement near impossible without NSW residents experiencing sustained episodes of sub-standard care which the regulator can then use to determine a breach in standards.

A simpler system would be to require a RN 24/7 on duty at all times and Director of Nursing, an easy test for compliance or non-compliance with additional staffing determined by case-mix analysis as proposed through the government response.

As it stands there is a commitment in both the Budget 2021/22 and Government Response to the Royal Commission to have a RN on duty for 16 hours a day. However, this is inconsistent with the nature of 24-hour residential aged care. Simply put, people do not choose to die, require pain relief, or fall, between 8am and 11pm.

In the past week a RN working nights for a not-for-profit provider was asked to use their personal PIN code to authorise the administration of a dangerous drug of addiction by two unlicensed care workers at a facility 12km away where there was no RN at night. Such practices compromise licensed health professionals and contribute to them leaving the sector. Another RN reported their employer was trying to change the status of their facility from a nursing home to ageing in place to avoid the RN 24/7 requirement, whilst providing care for the same cohort of high care residents. We ask, is this a sector that can be trusted to put safety before profit?

The federal government has determined that self-reporting of staffing levels and star ratings (based on only 10% of consumer feedback and not the 20% recommended by the Commissioners) will enable the market to drive staffing improvements and enhance consumer choice. This confirms our view that this government is out of touch. Those living in rural and remote NSW, those from CaLD communities and other marginalised communities requiring bespoke services are not afforded the luxury of multiple facilities vying for their business. Star ratings and enhanced self-reporting will make no impact on their choices and seek only to widen health inequalities.

Finally, the federal government has increased funding for providers, the Basic Daily Fee supplement of \$10 per resident per day in an average facility for 60 residents would provide an extra \$219,000 annually. The average annual salary for a RN employed in aged care with two years' experience is around \$70,000.

Now is not the time for the NSW government to withdraw from this long-standing protection. The federal government has shown its hand and it is one that cannot secure the people of NSW access to staff with the right skills, at the right time. In fact, a strong case could be made in view of the lack of recent leadership from the Commonwealth, for the State to increase its support and oversight of the sector. This is a missed opportunity for the once in a generation reforms that the Royal Commission so clearly hoped for. We call on the Committee to secure this Bill to secure RNs on-site in residential aged care facilities 24/7.

Supported by the following organisations:

