



Aged Care Legislation Amendment (Quality Indicator Program) Principles 2019

I, Richard Colbeck, Minister for Aged Care and Senior Australians, make the following principles.

Dated 17 June 2019

Richard Colbeck
Minister for Aged Care and Senior Australians

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1 Name

This instrument is the *Aged Care Legislation Amendment (Quality Indicator Program) Principles 2019*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 July 2019.	1 July 2019

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Aged Care Act 1997*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Accountability Principles 2014

1 Section 4

Insert:

National Aged Care Mandatory Quality Indicator Program Manual means the *National Aged Care Mandatory Quality Indicator Program Manual 1.0*, published on the Department's website, as existing at the start of 1 July 2019.

2 After section 25

Insert:

26 Information about quality of residential care

For the purposes of paragraph 63-1(1)(m) of the Act, an approved provider of residential care must, in accordance with the National Aged Care Mandatory Quality Indicator Program Manual:

- (a) make measurements or other assessments that:
 - (i) relate to care recipients to whom the approved provider provides residential care; and
 - (ii) are relevant to indicating the quality of the residential care; whether or not making the measurements or other assessments involves collecting or using personal information, or health information, and therefore sensitive information, within the meaning of the *Privacy Act 1988*, about the care recipients; and
- (b) compile or otherwise derive from those measurements and assessments information that:
 - (i) is relevant to indicating the quality of the care; and
 - (ii) is not personal information about any of the care recipients; and
- (c) give the information to the Secretary.

3 In the appropriate position in Part 8

Insert:

56 Transitional—compiling, deriving and giving information relating to measurements and assessments before 1 July 2019

- (1) This section applies if:
 - (a) apart from this section, section 26 (as inserted by the *Aged Care Legislation Amendment (Quality Indicator Program) Principles 2019*) would require an approved provider of residential care to give the Secretary information compiled or derived (wholly or partly) from a measurement or assessment made before 1 July 2019 in relation to a care recipient to whom the approved provider provided residential care; and
 - (b) in the 3 months ending on 30 June 2019 the provider did not take part in the program known as the National Aged Care Quality Indicator Program in relation to the care recipient.

- (2) Section 26 does not require the provider to compile or derive the information, or give it to the Secretary.

Note: This does not affect a requirement under section 26 for the provider to make a measurement or assessment on or after 1 July 2019.

Records Principles 2014

4 Section 4

Insert:

National Aged Care Mandatory Quality Indicator Program Manual means the *National Aged Care Mandatory Quality Indicator Program Manual 1.0*, published on the Department's website, as existing at the start of 1 July 2019.

5 At the end of section 7

Add:

- ; (v) records required by the National Aged Care Mandatory Quality Indicator Program Manual to be kept.