



Australian Government

Veterans' Entitlements Act 1986

Military Rehabilitation and Compensation Act 2004

Veterans' Affairs (Treatment Principles – Extend Eligibility for Allied Health Treatment to Residential Care Recipients) Determination 2020

Instrument 2020 No.R42/MRCC42

I, Vicki Rundle, as delegate of the Minister for Veterans' Affairs, approve:

- (a) for the purposes of subsection 90(6) of the *Veterans' Entitlements Act 1986* — the variations by the Repatriation Commission of the *Treatment Principles* in the following determination; and
- (b) for the purposes of subsection 286(6) of the *Military Rehabilitation and Compensation Act 2004* — the variations by the Military Rehabilitation and Compensation Commission of the *MRCA Treatment Principles* in the following determination.

Dated this 17th day of December 2020

... Vicki Rundle.....

Vicki Rundle

Deputy Secretary, Veterans and Families Services

Department of Veterans' Affairs

The Repatriation Commission, under subsection 90(5) of the *Veterans' Entitlements Act 1986*, makes the variations to the *Treatment Principles* in the following determination.

Dated this 17th day of December 2020

The Seal of the)
Repatriation Commission)
was affixed hereto in the)
presence of)

.....Liz Cosson.....Kate Pope.....Donald Spinks.....
ELIZABETH COSSON	KATE POPE	DONALD SPINKS
AM CSC	PSM	AM
PRESIDENT	DEPUTY	COMMISSIONER
	PRESIDENT	
.....Gwen Cherne.....	Stuart Smith.....
GWEN CHERNE		STUART SMITH
		AO DSC
COMMISSIONER		COMMISSIONER

We, as delegates of the Military Rehabilitation and Compensation Commission, under subsection 286(5) of the *Military Rehabilitation and Compensation Act 2004*, make the variations to the *MRC A Treatment Principles* in the following determination.

Dated this 17th day of December 2020

The Seal of the)
Military Rehabilitation and Compensation Commission)
was affixed hereto in the)
presence of:)

.....Liz Cosson.....Kate Pope.....Donald Spinks.....
ELIZABETH COSSON	KATE POPE	DONALD SPINKS
AM CSC	PSM	AM
CHAIR	MEMBER	MEMBER

1 Name

This instrument is the *Veterans' Affairs (Treatment Principles - Extend Eligibility for Allied Health Treatment to Residential Care Recipients) Determination 2020*.

2 Commencement

This determination commences on 10 December 2020.

3 Authority

This determination is made under:

- (a) subsection 90(5) of the *Veterans' Entitlements Act 1986* in respect of the variations to the *Treatment Principles* in Schedule 1; and
- (b) subsection 286(5) of the *Military Rehabilitation and Compensation Act 2004* in respect of the variations to the *MRCA Treatment Principles* in Schedule 2.

4 Schedules

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

Schedule 1 - Variations to the *Treatment Principles (Instrument 2013 No. R52) [F2020C00775]*

[1] Paragraph 7.1.3

After “Subject to”, insert “7.1C.1 (Extended Eligibility for Treatment by Allied Health Providers for Entitled Persons Receiving Residential Care),”.

[2] After Principle 7.1B, insert:

7.1C Extended Eligibility for Treatment by Allied Health Providers for Entitled Persons Receiving Residential Care

7.1C.1 For the period from 10 December 2020 until 30 June 2022 (both dates inclusive) the *Commission* will accept financial responsibility for services listed in paragraphs 7.1.2(a), (aa), (b), (c), (dd), (e), (h), (j), (k), (l), (m) and (n) in the following circumstances:

- (a) the *entitled person* must be receiving *residential care* as described in paragraph 7(6)(a) of the *Quality of Care Principles 2014*;
- (b) the services must be provided in accordance with the limits imposed in the relevant section of the *Notes for Allied Providers* and in the applicable *Fee Schedule*.

Note (1): a person described in paragraph 7(6)(a) of the *Quality of Care Principles 2014* is a care recipient in *residential care* whose classification level under the *Classification Principles 2014* includes any of the following:

- (i) high ADL domain category;
- (ii) high CHC domain category;
- (iii) high behaviour domain category;
- (iv) a medium domain category in at least 2 domains.

These categories are worked out under the *Classification Principles 2014*.

Note (2): a person described in paragraph 7(6)(a) of the *Quality of Care Principles 2014* may be provided with care and services specified in Part 1, 2 or 3 of Schedule 1 of the *Quality of Care Principles 2014*.

Note (3): the *Notes for Allied Health Providers* and the *Fee Schedules* can be found at: <https://www.dva.gov.au/providers/notes-fee-schedules-and-guidelines>.

[3] Paragraph 7.5.3

Omit “*Prior approval is required*”, substitute “Subject to paragraph 7.1C.1, *prior approval is required*”.

[4] After, paragraph 7.5.3, insert:

Note: paragraph 7.1C.1 provides that for the period from 10 December 2020 to 30 June 2022 *Commission* will accept financial responsibility for certain services listed in paragraph 7.1.2 (including physiotherapy) without the requirement for *prior approval* for an *entitled person* receiving *residential care* if the person is described in paragraph 7(6)(a) of the *Quality of Care Principles 2014*.

[5] Paragraph 7.6.2

Omit “*Prior approval is required*”, substitute “Subject to paragraph 7.1C.1, *prior approval is required*”.

[6] After, paragraph 7.6.2, insert:

Note: paragraph 7.1C.1 provides that for the period from 10 December 2020 to 30 June 2022 *Commission* will accept financial responsibility for certain services listed in paragraph 7.1.2 (including podiatry) without the requirement for *prior approval* for an *entitled person* receiving *residential care* if the person is described in paragraph 7(6)(a) of the *Quality of Care Principles 2014*.

[7] Paragraph 7.6A.2

Omit “*Prior approval is required*”, substitute “Subject to paragraph 7.1C.1, *prior approval is required*”.

[8] After, paragraph 7.6A.2, insert:

Note: paragraph 7.1C.1 provides that for the period from 10 December 2020 to 30 June 2022 *Commission* will accept financial responsibility for certain services listed in paragraph 7.1.2 (including diabetes educator services) without the requirement for *prior approval* for an *entitled person* receiving *residential care* if the person is described in paragraph 7(6)(a) of the *Quality of Care Principles 2014*.

Schedule 2 - Variations to the *MRCAs Treatment Principles* (Instrument 2013 No. MRCC53) [F2020C00776]

[1] Paragraph 7.1.3

After “Subject to”, insert “7.1C.1 (Extended Eligibility for Treatment by Allied Health Providers for Entitled Persons Receiving Residential Care),”.

[2] After Principle 7.1B, insert:

7.1C.1 For the period from 10 December 2020 until 30 June 2022 (both dates inclusive) the *Commission* will accept financial responsibility for services listed in paragraphs 7.1.2(a), (aa), (b), (c), (dd), (e), (h), (j), (k), (l), (m) and (n) in the following circumstances:

- (a) the *entitled person* must be receiving *residential care* as described in paragraph 7(6)(a) of the *Quality of Care Principles 2014*;
- (b) the services must be provided in accordance with the limits imposed in the relevant section of the *Notes for Allied Providers* and in the applicable *Fee Schedule*.

Note (1): a person described in paragraph 7(6)(a) of the *Quality of Care Principles 2014* is a care recipient in *residential care* whose classification level under the *Classification Principles 2014* includes any of the following:

- (i) high ADL domain category;
- (ii) high CHC domain category;
- (iii) high behaviour domain category;
- (iv) a medium domain category in at least 2 domains.

These categories are worked out under the *Classification Principles 2014*.

Note (2): a person described in paragraph 7(6)(a) of the *Quality of Care Principles 2014* may be provided with care and services specified in Part 1, 2 or 3 of Schedule 1 of the *Quality of Care Principles 2014*.

Note (3): the *Notes for Allied Health Providers* and the *Fee Schedules* can be found at: <https://www.dva.gov.au/providers/notes-fee-schedules-and-guidelines>.

[3] Paragraph 7.5.3

Omit “*Prior approval* is required”, substitute “Subject to paragraph 7.1C.1, *prior approval* is required”.

[4] After, paragraph 7.5.3, insert:

Note: paragraph 7.1C.1 provides that for the period from 10 December 2020 to 30 June 2022 *Commission* will accept financial responsibility for certain services listed in

paragraph 7.1.2 (including *physiotherapy*) without the requirement for *prior approval* for an *entitled person* receiving *residential care* if the person is described in paragraph 7(6)(a) of the *Quality of Care Principles 2014*.

[5] Paragraph 7.6.2

Omit “*Prior approval* is required”, substitute “Subject to paragraph 7.1C.1, *prior approval* is required”.

[6] After, paragraph 7.6.2, insert:

Note: paragraph 7.1C.1 provides that for the period from 10 December 2020 to 30 June 2022 *Commission* will accept financial responsibility for certain services listed in paragraph 7.1.2 (including podiatry) without the requirement for *prior approval* for an *entitled person* receiving *residential care* if the person is described in paragraph 7(6)(a) of the *Quality of Care Principles 2014*.

[7] Paragraph 7.6A.2

Omit “*Prior approval* is required”, substitute “Subject to paragraph 7.1C.1, *prior approval* is required”.

[8] After, paragraph 7.6A.2, insert:

Note: paragraph 7.1C.1 provides that for the period from 10 December 2020 to 30 June 2022 *Commission* will accept financial responsibility for certain services listed in paragraph 7.1.2 (including *diabetes educator services*) without the requirement for *prior approval* for an *entitled person* receiving *residential care* if the person is described in paragraph 7(6)(a) of the *Quality of Care Principles 2014*.