

Continence Aids Payment Scheme Amendment (Eligibility) Instrument 2022

I, Anika Wells, Minister for Aged Care, make the following instrument.

Dated 28 September 2022

Anika Wells

Minister for Aged Care

Contents

1 Name 1

2 Commencement 1

3 Authority 1

4 Schedules 1

Schedule 1—Amendments 2

Continence Aids Payment Scheme 2020 2

1 Name

 This instrument is the *Continence Aids Payment Scheme Amendment (Eligibility) Instrument 2022*.

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 October 2022. | 1 October 2022 |

Note: This table relates only to the provisions of this instrument as originally made.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 section 12 of the *National Health Act 1953*.

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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Continence Aids Payment Scheme 2020

1 Subsection 4(1)

Insert:

***residential care*** has the same meaning as in the *Aged Care Act 1997*.

***residential care service*** has the same meaning as in the *Aged Care Act 1997*.

***respite care*** has the same meaning as in the *Aged Care Act 1997*.

2 Subparagraph 5(2)(c)(i)

Repeal the subparagraph, substitute:

 (i) who are being provided with residential care through a residential care service (other than residential care provided as respite care); or

3 Paragraph 5(2)(c) (note)

Repeal the note.

4 Subsection 7(1) (example)

Omit “a high level of residential care in a residential care facility: see subparagraph 5(2)(c)(i)”, substitute “residential care through a residential care service (other than residential care provided as respite care) or a home care package that includes continence aids: see paragraph 5(2)(c)”.

5 After Part 5

Insert:

Part 6—Application, transitional and saving provisions

27 Application of the *Continence Aids Payment Scheme Amendment (Eligibility) Instrument 2022*

 (1) This section applies in relation to a person who was, immediately before 1 October 2022, eligible to participate in the Scheme.

 (2) Despite the amendments made by Schedule 1 to the *Continence Aids Payment Scheme Amendment (Eligibility) Instrument 2022*,this instrument, as in force immediately before 1 October 2022, continues to apply to the person until the end of 30 June 2023.

6 Part 1 of the Schedule

Omit:

|  |
| --- |
| Smooth Muscle MyopathySphincter Deficiency (anal or bladder) |

substitute:

|  |
| --- |
| Smooth Muscle Myopathy |
| Sphincter Deficiency (anal or bladder) |