



Aged Care Legislation Amendment (July Indexation and Other Measures) Instrument 2023

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

Dated 22 June 2023

Anika Wells
Minister for Aged Care

Contents

1 Name	1
2 Commencement	1
3 Authority	1
4 Schedules	1
Schedule 1—Subsidy paid under the Aged Care Act 1997	2
<i>Aged Care (Subsidy, Fees and Payments) Determination 2014</i>	2
Schedule 2—Subsidy paid under the Aged Care (Transitional Provisions) Act 1997	11
<i>Aged Care (Transitional Provisions) Principles 2014</i>	11
<i>Aged Care (Transitional Provisions) (Subsidy and Other Measures) Determination 2014</i>	11
Schedule 3—Other amendments	12
<i>User Rights Principles 2014</i>	12

1 Name

This instrument is the *Aged Care Legislation Amendment (July Indexation and Other Measures) Instrument 2023*.

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 2023	1 July 2023

Note: This table relates only to the provisions of this instrument as originally made.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 following:

- (a) the *Aged Care Act 1997*;
- (b) the *Aged Care (Transitional Provisions) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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—Subsidy paid under the *Aged Care Act* 1997

Aged Care (Subsidy, Fees and Payments) Determination 2014

1 Amendments of listed provisions—increased amounts

The provisions listed in the following table are amended as set out in the table.

Amendments relating to increased amounts			
Item	Provision	Omit	Substitute
1	Section 64ZJ	\$12.73	\$13.62
2	Paragraph 64ZK(a)	\$20.17	\$21.58
3	Paragraph 64ZK(b)	\$22.65	\$24.24
4	Section 64ZR	\$7.50	\$7.75
5	Subsection 70(1)	\$12.73	\$13.62
6	Subsection 70(2)	\$15.91	\$17.03
7	Paragraph 72(1)(a)	\$20.17	\$21.58
8	Paragraph 72(1)(b)	\$22.65	\$24.24
9	Subsection 72(2)	\$25.21 for bolus feeding and \$28.31 for non-bolus feeding	\$26.98 for bolus feeding and \$30.30 for non-bolus feeding
10	Paragraph 79(a)	\$46,072.00	\$46,384.00
11	Paragraph 79(b)	\$59,696.00	\$60,008.00
12	Paragraph 79(c)	\$60,268.00	\$60,632.00
13	Section 91	\$44.24 for HMA	\$45.70
14	Section 92	\$136.04 for B	\$140.53
15	Section 93	\$136.04 for B	\$140.53
16	Subsection 95(3)	\$1.28	\$1.32
17	Subparagraph 104(1)(b)(ii)	\$16.79	\$17.34
18	Subparagraph 104(2)(b)(ii)	\$5.09	\$5.26
19	Subsection 106(2)	\$213.73	\$239.11
20	Subsection 106(3)	\$4.30	\$4.81
21	Subsection 106B(2)	\$213.73	\$239.11
22	Subsection 106B(3)	\$4.30	\$4.81

2 Section 64H (definition of *national efficient price*)

Omit “\$216.80”, substitute “\$243.10”.

3 Section 67 (table)

Repeal the table, substitute:

Basic subsidy amount		
Item	Level of home care	Amount (\$)
1	Level 1	28.14
2	Level 2	49.49
3	Level 3	107.70
4	Level 4	163.27

4 Section 84A (table to the definition of *ARIA value viability supplement amount*)

Repeal the table, substitute:

ARIA value viability supplement amount		
Item	ARIA value	Amount (\$)
1	Less than 3.52	0.00
2	At least 3.52 but less than 4.67	6.47
3	At least 4.67 but less than 5.81	7.75
4	At least 5.81 but less than 7.45	10.84
5	At least 7.45 but less than 9.09	13.01
6	At least 9.09 but less than 10.55	18.21
7	At least 10.55	21.87

5 Section 84A (table to the definition of *MMM classification viability supplement amount*)

Repeal the table, substitute:

MMM classification viability supplement amount		
Item	Modified Monash Model classification	Amount (\$)
1	MMM 1	0.00
2	MMM 2	0.00
3	MMM 3	0.00
4	MMM 4	1.24
5	MMM 5	2.75
6	MMM 6	18.21
7	MMM 7	21.87

Note: In 2023, the Modified Monash Model classification for a suburb or locality was available at the Health Department's website <http://www.health.gov.au>.

6 Section 87 (table to the definition of *ARIA value additional amount*)

Repeal the table, substitute:

ARIA value additional amount		
Item	ARIA value	Amount (\$)
1	0 to 3.51 inclusive	0.00
2	3.52 to 4.66 inclusive	5.97
3	4.67 to 5.80 inclusive	7.16
4	5.81 to 7.44 inclusive	10.01
5	7.45 to 9.08 inclusive	12.01
6	9.09 to 10.54 inclusive	16.82
7	10.55 to 12 inclusive	20.20

7 Section 87 (table to the definition of *MMM classification additional amount*)

Repeal the table, substitute:

MMM classification additional amount		
Item	Modified Monash Model classification	Amount (\$)
1	MMM 1	0.00
2	MMM 2	0.00
3	MMM 3	0.00
4	MMM 4	1.15
5	MMM 5	2.54
6	MMM 6	16.82
7	MMM 7	20.20

Note: In 2023, the Modified Monash Model classification for a street address was available at the Health Department's website <http://www.health.gov.au>.

8 Section 94 (table)

Repeal the table, substitute:

Respite supplement equivalent amount		
Item	Total number of high care places and low care places	Amount (\$)
1	Less than 11	56.06
2	More than 10 but less than 21	89.70
3	More than 20 but less than 31	100.88
4	More than 30 but less than 41	112.08
5	More than 40	123.33

Aged Care Legislation Amendment (July Indexation and Other Measures) Instrument 2023

9 Section 97 (table)

Repeal the table, substitute:

Viability supplement equivalent amounts—Category A services			
Item	Degree of isolation of the service	Number of places allocated in respect of the service	Amount (\$)
1	Isolated Remote Area	less than 16	58.35
2	Isolated Remote Area	more than 15 but less than 30	35.88
3	Isolated Remote Area	more than 29	3.63
4	Remote Centre	less than 16	27.87
5	Remote Centre	more than 15 but less than 30	19.80
6	Remote Centre	more than 29	3.63
7	Rural Outside Large Centre	less than 16	11.73
8	Rural Outside Large Centre	more than 15 but less than 30	3.63
9	Rural Outside Large Centre	more than 29	3.63
10	An area not covered by items 1 to 9	not applicable	3.63

Note: Terms used in this table are defined in section 87.

10 Section 98 (table)

Repeal the table, substitute:

Viability supplement equivalent amounts—Category B services		
Item	Score	Amount (\$)
1	40	3.63
2	50	4.06
3	60	11.73
4	70	19.80
5	80	27.87
6	90	35.88
7	100	58.35

11 Section 99 (table)

Repeal the table, substitute:

Viability supplement equivalent amounts—Category C services		
Item	Score	Amount (\$)
1	50	8.76
2	55	13.13
3	60	19.64
4	65	24.00

Aged Care Legislation Amendment (July Indexation and Other Measures) Instrument 2023

Viability supplement equivalent amounts—Category C services		
Item	Score	Amount (\$)
5	70	35.02
6	75	43.62
7	80	54.51
8	85	65.51
9	90	76.39
10	95	85.11
11	100	96.03

12 Section 99A (table)

Repeal the table, substitute:

Viability supplement equivalent amounts—Category D services		
Item	Score	Amount (\$)
1	50	8.76
2	55	13.13
3	60	19.64
4	65	24.00
5	70	35.02
6	75	43.62
7	80	54.51
8	85	65.51
9	90	76.39
10	95	85.11
11	100	96.03

13 Section 101 (table)

Repeal the table, substitute:

Concessional resident equivalent amounts		
Item	Region in which multi-purpose service is located	Amount (\$)
New South Wales		
1	Central Coast	13.02
2	Central West	11.17
3	Far North Coast	11.86
4	Hunter	13.14
5	Illawarra	12.14
6	Inner West	13.57

Aged Care Legislation Amendment (July Indexation and Other Measures) Instrument 2023

Concessional resident equivalent amounts		
Item	Region in which multi-purpose service is located	Amount (\$)
7	Mid North Coast	12.43
8	Nepean	12.10
9	New England	8.01
10	Northern Sydney	7.82
11	Orana Far West	14.62
12	Riverina Murray	13.01
13	South East Sydney	12.65
14	South West Sydney	15.31
15	Southern Highlands	13.70
16	Western Sydney	12.22
Victoria		
17	Barwon South Western	7.97
18	Eastern Metro	7.21
19	Gippsland	7.57
20	Grampians	13.35
21	Hume	7.74
22	Loddon-Mallee	12.32
23	Northern Metro	12.22
24	Southern Metro	7.95
25	Western Metro	7.90
Queensland		
26	Brisbane North	11.90
27	Brisbane South	12.74
28	Cabool	12.79
29	Central West	11.17
30	Darling Downs	13.73
31	Far North	11.92
32	Fitzroy	6.98
33	Logan River Valley	13.92
34	Mackay	11.93
35	North West	17.46
36	Northern	11.60
37	South Coast	13.14
38	South West	11.93
39	Sunshine Coast	8.05
40	West Moreton	13.37
41	Wide Bay	12.19
South Australia		
42	Eyre Peninsula	15.84
43	Hills, Mallee and Southern	13.87

Aged Care Legislation Amendment (July Indexation and Other Measures) Instrument 2023

Concessional resident equivalent amounts		
Item	Region in which multi-purpose service is located	Amount (\$)
44	Metropolitan East	12.79
45	Metropolitan North	12.98
46	Metropolitan South	13.07
47	Metropolitan West	14.31
48	Mid North	13.03
49	Riverland	14.46
50	South East	12.84
51	Whyalla, Flinders and Far North	13.20
52	Yorke Lower North and Barossa	13.58
Western Australia		
53	Goldfields	6.98
54	Great Southern	7.92
55	Kimberley	17.08
56	Metropolitan East	12.79
57	Metropolitan North	12.98
58	Metropolitan South East	13.07
59	Metropolitan South West	14.31
60	Mid West	15.58
61	Pilbara	16.78
62	South West	11.93
63	Wheatbelt	12.26
Tasmania		
64	North Western	12.61
65	Northern	11.60
66	Southern	13.18
Northern Territory		
67	Alice Springs	19.16
68	Barkly	21.95
69	Darwin	16.49
70	East Arnhem	21.95
71	Katherine	11.92
Australian Capital Territory		
72	Australian Capital Territory	13.48

14 Subsection 104(1) (table)

Repeal the table, substitute:

Amount of flexible care subsidy		
Item	Column 1 Approved provider	Column 2 Amount (\$)
1	Multiple Sclerosis Society of Victoria	75.23
2	Helping Hand Aged Care Inc.	68.24
3	Senses Foundation Inc.	85.43
4	Li-Ve Tasmania	77.25
5	New Horizons Enterprises Limited	79.43
6	Uniting Church in Australia Property Trust (NSW) Springwood Retirement Village	73.37

15 Subsection 104(2) (table)

Repeal the table, substitute:

Amount of flexible care subsidy		
Item	Column 1 Approved provider	Column 2 Amount (\$)
1	Riverland Mallee Coorong Local Health Network Incorporated	38.33

Schedule 2—Subsidy paid under the Aged Care (Transitional Provisions) Act 1997

Aged Care (Transitional Provisions) Principles 2014

1 Section 67E (table)

Repeal the table, substitute:

Basic subsidy amount		
Item	Level of home care	Amount (\$)
1	Level 1	28.14
2	Level 2	49.49
3	Level 3	107.70
4	Level 4	163.27

2 Section 67N

Omit “\$2.89”, substitute “\$3.23”.

Aged Care (Transitional Provisions) (Subsidy and Other Measures) Determination 2014

3 Section 81 (Definition of *national efficient price*)

Omit “\$216.80”, substitute “\$243.10”.

4 Amendments of listed provisions—increased amounts

The provisions listed in the following table are amended as set out in the table.

Amendments relating to increased amounts			
Item	Provision	Omit	Substitute
1	Section 91C	\$12.73	\$13.62
2	Paragraph 91D(a)	\$20.17	\$21.58
3	Paragraph 91D(b)	\$22.65	\$24.24
4	Section 91P	\$7.50	\$7.75

Schedule 3—Other amendments

User Rights Principles 2014

1 Subsection 21KA(1) (table)

Repeal the table, substitute:

Maximum daily prices for care management and package management			
Item	If, on the day, the care recipient's level of care as a prioritised home care recipient determined under subsection 23B-1(1) of the Act is ...	the maximum price for care management for the day for the care recipient is ... (\$)	and the maximum price for package management for the day for the care recipient is ... (\$)
1	Level 1	5.63	4.22
2	Level 2	9.90	7.42
3	Level 3	21.54	16.16
4	Level 4	32.65	24.49