



Aged Care Legislation Amendment (Outbreak Management Support Supplement) Instrument 2024

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

Dated 18 January 2024

Anika Wells
Minister for Aged Care

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1 Name

This instrument is the *Aged Care Legislation Amendment (Outbreak Management Support Supplement) Instrument 2024*.

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	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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—Amendments

Aged Care (Subsidy, Fees and Payments) Determination 2014

1 At the end of Part 7 of Chapter 2A

Add:

Division 7—Outbreak management support supplement

64ZV Amount of outbreak management support supplement

For the purposes of subsection 44-27(3) of the Act, the amount of the outbreak management support supplement for a day for a care recipient is \$2.81.

Note: The outbreak management support supplement is set out in Subdivision L of Division 5 of Part 3 of Chapter 2 of the *Subsidy Principles 2014*. Eligibility for the supplement is dealt with in that Subdivision.

2 Section 91 (formula)

Repeal the formula, substitute:

HCA + LCA + HMA + RSEA + DEA + VEA + DVEA + HMAA + ACWSA + OMSA

3 Section 91

Insert:

OMSA is the amount worked out by multiplying:

- (a) the amount that applies under section 96B for the day for a place allocated in respect of the service; and
- (b) the number of places allocated in respect of the service that are not provisionally allocated.

4 At the end of Division 3 of Part 1 of Chapter 4

Add:

96B Outbreak management support supplement amount

The amount for a day for a place allocated in respect of a multi-purpose service is:

- (a) for a day on or after 1 February 2024—\$2.81; and
- (b) for any other day—nil.

Aged Care (Transitional Provisions) Principles 2014

5 At the end of paragraph 17(h)

Add:

; (ix) the outbreak management support supplement.

6 At the end of Division 8 of Part 3 of Chapter 2

Add:

Subdivision K—Outbreak management support supplement

64H Outbreak management support supplement

For the purposes of paragraph 44-27(1)(e) of the Transitional Provisions Act, the outbreak management support supplement for a care recipient in respect of a payment period beginning on or after 1 February 2024 is the sum of all the outbreak management support supplements for the days during the period on which the care recipient was provided with residential care through the residential care service in question.

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

7 At the end of Part 5 of Chapter 3

Add:

Division 7—Outbreak management support supplement

91T Amount of outbreak management support supplement

For the purposes of subsection 44-27(3) of the Transitional Provisions Act, the amount of the outbreak management support supplement for a day for a care recipient is \$2.81.

Note: The outbreak management support supplement is set out in Subdivision K of Division 8 of Part 3 of Chapter 2 of the Transitional Provisions Principles. Eligibility for the supplement is dealt with in that Subdivision.

Subsidy Principles 2014

8 At the end of paragraph 20(e)

Add:

; (x) the outbreak management support supplement.

9 At the end of Division 5 of Part 3 of Chapter 2

Add:

Subdivision L—Outbreak management support supplement

70AN Outbreak management support supplement

For the purposes of paragraph 44-27(1)(c) of the Act, the outbreak management support supplement for a care recipient in respect of a payment period beginning on or after 1 February 2024 is the sum of all the outbreak management support supplements for the days during the period on which:

- (a) the care recipient was provided with residential care through the residential care service in question; and

- (b) the care recipient was eligible for an outbreak management support supplement under section 70AO.

70AO Eligibility for outbreak management support supplement

- (1) A care recipient is eligible for an outbreak management support supplement on a particular day if, on that day, the care recipient is being provided with residential care other than as respite care.
- (2) A care recipient is eligible for an outbreak management support supplement on a particular day if, on that day:
 - (a) the care recipient is being provided with residential care as respite care;
and
 - (b) under Division 3 of Part 3 of Chapter 2A of the *Aged Care (Subsidy, Fees and Payments) Determination 2014*, the basic subsidy amount for the day for the care recipient is not nil.