



# Aged Care Quality Standards Transitional Arrangements Fact sheet

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## Key changes under the Commission Rules

**From 1 July 2019, the new Aged Care Quality Standards (Standards) will apply to all aged care services including residential care, home care and short-term restorative care, as well as services under the National Aboriginal and Torres Strait Islander Flexible Aged Care Program and the Commonwealth Home Support Programme.**

*The Aged Care Legislation Amendment (Single Quality Framework Consequential Amendments and Transitional Provisions) Instrument 2019* amends the Aged Care Quality and Safety Commission Rules 2018 (the Rules) to provide:

- consequential amendments to give effect to the Standards on 1 July 2019, and
- transitional rules for the implementation of the Standards from 1 July 2019.

## Consequential amendments

Consequential amendments include changes to the Rules to reference the Aged Care Quality Standards rather than the Accreditation Standards, Home Care Standards or Flexible Care Standards.

For example, an amendment to section 36(2)(a) of the Rules requires an assessment team conducting a site audit to 'assess the quality of care and services provided through the service against the Aged Care Quality Standards' rather than the current Accreditation Standards.

## Continuous improvement

Under the Rules providers of residential and home services must have a written plan for continuous improvement that explains how they will meet their obligations in relation to the service and the Standards from 1 July 2019.

The Commission may request a plan for continuous improvement during a visit to the premises of the service or as part of an assessment contact not involving a visit to the premises of the service. A provider is required to update the plan for continuous improvement where the Commission has made a decision regarding non-compliance with the Standards.

On 1 July 2019, the Commission Rules will contain a new definition of a *plan for continuous improvement* (replacing current sections 62 and 63). The new section 62 directs providers to elements that must be set out in a plan for continuous improvement in order to demonstrate how they will assess, against the Standards, the quality of the care and services they provide and how they will monitor and improve the quality of care and services provided. The provision has a stronger link to the self-assessment process.

Under the new provision, if improvements in relation to the service are required to ensure compliance with the new Standards, the plan must also set out how the provider will make those improvements.

The provision compels a provider to give a copy of the plan for continuous improvement of the service to the Aged Care Quality and Safety Commissioner (Commissioner), should the Commissioner request it.

A Regulatory Bulletin on continuous improvement and the self-assessment process will be made available to providers prior to 1 July 2019.

See the Commission's **continuous improvement** page and **self-assessment** page for more information.

## Transitional provisions

### Continuation of assessment activities

The Rules provide for processes commenced before 1 July 2019 to be further progressed as if the steps had been taken under the Rules.

A range of transitional provisions allows for assessment activities that commenced prior to 1 July 2019 to be completed in accordance with the current Rules. This includes applications for re-accreditation, quality reviews and monitoring processes.

For example, where a site audit has commenced prior to 1 July 2019 but has not been completed on 1 July 2019, the transitional provisions allow for the site audit to be conducted against the Accreditation Standards. Compliance decisions will also be against the Accreditation Standards.

### What does this mean for commencing residential care services?

Approved providers should contact the Commission to discuss the accreditation process and obtain the *Application for Accreditation form*. The form will be updated to reference the new Standards and will be made available from 1 July 2019. Applications submitted to the Commission from 1 July 2019 should be made using the new form.

Contact the Commission by calling **1800 951 822** (free call) or by emailing **info@agedcarequality.gov.au**.

### What does this mean for accredited services?

An approved provider will be advised in their application for re-accreditation reminder notices whether their residential aged care service is expected to have their **site audit** against the current Accreditation Standards or the new Standards. The Commission is basing this advice on a service's accreditation expiry date.

## Accreditation expiry date

## Arrangements and requirements for re-accreditation

### Expiry dates up to 22 September 2019

Site audit expected to be against Accreditation Standards.  
Self-assessment against Accreditation Standards to be completed and submitted with an application for re-accreditation.

### Expiry dates from 23 September 2019

Site audit expected to be against new Standards.  
Providers are not required to submit a self-assessment with an application for re-accreditation.  
Assessment teams can request self-assessment information under the new Standards during a site audit from 1 July 2019. Providers are encouraged to use the new self-assessment tool to assist with their preparation for the new Standards. The tool is available for download from the **Self-assessment** page on the Commission's website.

### Expiry dates from 20 January 2020

Site audit expected to be against new Standards.  
Self-assessment against new Standards to be completed and submitted with applications for re-accreditation **from 1 July 2019**.

Although a site audit may be expected to be completed against current Accreditation Standards or new Standards, the Commission does not guarantee it. For example, a service that is expected to have a site audit prior to 1 July 2019 may have an influenza outbreak that results in the site audit being postponed until after 1 July. This site audit will be against the new Standards. See the Commission's **re-accreditation of residential services** page and **self-assessment** page for more information.

Most **assessment contacts** conducted on or after 1 July 2019 will be against the new Standards. Assessment contacts that are being conducted at the end of a timetable for improvement may assess a provider's performance against the Accreditation Standards. Refer to the information below on timetables for improvement.

**Review audits** conducted on or after 1 July 2019 will be against the new Standards.

### What does this mean for home services?

Most **quality reviews and assessment contacts** with home services are made with notice. Services are therefore likely to know whether an assessment will be against the current or new Standards.

The Commission may conduct a quality review or assessment contact without notice; that assessment will be against the Standards that are in place on the day of the site visit or contact.

### What does this mean for National Aboriginal and Torres Strait Islander Flexible Aged Care Program services?

All assessments with National Aboriginal and Torres Strait Islander Flexible Aged Care Program services are made with notice. Services will therefore know whether an assessment will be against the current or new Standards.

## Timetable for improvement

Where a provider has a timetable for improvement set prior to 1 July 2019 and expiring after 1 July 2019, the Commission will conduct an assessment contact at the end of the timetable for improvement. This is to determine whether the level of care and services provided through the service complies with the old Standards rather than the new Standards.

For example, the Commission made a decision on 1 May 2019 that a home service provider failed to meet expected outcome 2.2 Assessment of the Home Care Standards. The provider of the service was given a timetable for improvement that expired 31 July 2019.

On 1 August 2019 at the end of a timetable for improvement, an assessment contact for the purpose of assessing the provider's performance against the Home Care Standards was completed. Following review of the assessment team's recommendation, a delegate of the Commissioner decided that expected outcome 2.2 Assessment was met.

In addition, if the Commission identifies ongoing issues during the assessment contact at the end of the timetable for improvement, a separate assessment of performance will be completed against the new Standards. This may be completed by expanding the scope of the initial assessment contact or by scheduling a new assessment contact. Where the Commission makes decides that the provider does not comply with the new Standards a new timetable for improvement will be set against the new Standards.

Timetables for improvement that have been notified to a provider after 1 July 2019, will reference the new Standards even if the original compliance decision was made against the old Standards. This will require delegated decision makers of the Commission to consider the subject matter of the area for improvement rather than refer to the expected outcomes or requirements not met. This confirms that the provider is required to undertake improvements with reference to the new Standards.

For example, a site audit was conducted from 20 to 21 June 2019. The Commission made a decision on 19 July 2019 that the approved provider failed to meet expected outcome 2.7 Medication Management of the Accreditation Standards in relation to the residential aged care service. The provider of the service was advised of the following areas where improvements in relation to the service must be made to ensure compliance with the new Standards:

- the evaluation and review of care recipients' medication needs and preferences is to be regularly undertaken by a pharmacist or medical officer
- all medication side effects to be reported to the care recipient's medical officer
- staff to be made aware of follow-up actions and protocols as a result of adverse drug reactions and adverse pathology results.

The provider was given a timetable in which these improvements were to be made.

## Regulatory Policy Helpdesk

For support in understanding the amendments to the Rules and their operational implications, please contact the Regulatory Policy team at **regulatorypolicy@agedcarequality.gov.au** or contact your local Regional Office by calling **1800 951 822** (free call) or by emailing **info@agedcarequality.gov.au**.



### Phone

1800 951 822



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[agedcarequality.gov.au](http://agedcarequality.gov.au)



### Write

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