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## Media Release

### Commission cracks down on misuse of Higher Everyday Living Fees

The Aged Care Quality and Safety Commission has launched investigations into several residential aged care providers amid concerns some may be charging Higher Everyday Living Fees in ways that are inconsistent with the rules and the rights of older people.

The Commission is examining allegations that some providers are requiring residents to pay for services that should already be included as part of standard residential aged care, charging for services residents cannot or do not use, or presenting optional fees as though they are mandatory. These practices, if substantiated, undermine the intent of aged care reforms and the rights of older people.

Examples of poor provider practice identified by the Commission as a result of the investigations include a provider removing televisions from vacant rooms with the intention to charge new residents to have a television installed, a provider who removed basic services and attempted to charge residents to have them reinstated, and a provider who was planning to charge residents for performances given by volunteers at the service for free.

The Higher Everyday Living Fee framework is designed to allow residents to voluntarily purchase genuine additional lifestyle services. It must never become a mechanism for charging residents for services they are already entitled to receive.

Aged Care Quality and Safety Commissioner Liz Hefren-Webb said the Commission would take strong regulatory action where providers fail to meet their obligations.

"Higher Everyday Living Fees are optional. They are not an opportunity for providers to charge residents for services that should already be delivered as part of quality aged care.

"Older people and their families must have transparency, fairness and confidence that they are only being asked to pay for genuine additional services they have freely chosen and can use."

Where providers are using Higher Everyday Living Fees inappropriately, the Commission will investigate and, where necessary, take strong regulatory action, including requiring providers to reinstate services that have been withdrawn and issue refunds where fees have been charged incorrectly.

Higher Everyday Living Fees cannot be used as a condition of entry into an aged care home, must be supported by a separate agreement entered into after a resident has moved into care, and can only apply to higher standard or additional services that residents have agreed to receive. Residents should not be charged for services they cannot or will not use.

Meals are a particularly concerning area where many providers are putting in place Higher Everyday Living options and changing what were previously standard offerings.

"We are very concerned about the use of HELF in relation to meals. The Standards are crystal clear that providers must offer meals that meet the nutritional needs, goals and preferences of residents. This is not optional. This is not an additional service. This is a minimum mandatory requirement," the Commissioner said.

The Commission is closely monitoring emerging practices across the sector to ensure providers comply with their legal obligations.

The Commissioner said community information was critical to protecting older people and stomping out bad practices.

"I urge older people and their supporters to speak up if they have concerns about fees and charges or think something isn't right.

"Speaking up helps us identify concerning practices and take action to protect older people."

Concerns about Higher Everyday Living Fees can be reported to the Aged Care Quality and Safety Commission by telephone on 1800 951 822 or by visiting [www.agedcarequality.gov.au](http://www.agedcarequality.gov.au). Every complaint is assessed and can inform regulatory action.

**Media enquiries:** [media@agedcarequality.gov.au](mailto:media@agedcarequality.gov.au)

### **About the Aged Care Quality and Safety Commission**

The Aged Care Quality and Safety Commission is the national regulator of aged care services in Australia. It is responsible for protecting and enhancing the safety, health, wellbeing and quality of life of people receiving aged care.