



What can I do if my provider changes my home services arrangement?

1800 951 822
agedcarequality.gov.au

This fact sheet provides guidance for people who access home services through the Home Care Packages Program and what you can do if your provider wants to make changes to your home service arrangement.



What you need to know when your provider is making changes

Your home care and service arrangements may need to change over time. There are many reasons why these changes occur, such as changes to your care needs or the costs of delivering your services.

You have rights and your provider must meet legal responsibilities when asking you to make changes to your arrangements. Changes may need to be made to the terms of your home care agreement, to the care and services you receive and/or to your budget.

Your agreement

Your home care agreement is a legal agreement between you and your provider. It sets out how your care and services will be provided, who will provide them and how much they will cost. As part of this agreement, your provider must also give you an individualised budget and your care and services plan.

You should not feel rushed or pressured to enter into your agreement. You can take your time to understand it before you sign it.

Your provider must talk to you about making changes to your agreement when:

- your care needs change
- your package level changes
- you ask for a review
- your provider's costs change, or
- the Government makes changes to home service programs or funding arrangements and this changes the terms of your care arrangements.

When changes are made to your agreement, you must be given a copy of your updated agreement. Your provider must ask you if you agree to the changes. You do not have to physically sign the document to indicate your agreement, but your provider should always keep a written record that you have agreed to the changes.

Pricing

Your provider must inform you if they wish to make a change to the prices they charge for your care and services and the reasons why. If your provider wants to make a change to prices they must:

- provide a clear explanation of what your care and services will cost
- provide a clear explanation of the reasons for the increase (for example, wage increases, indexation, fuel costs etc)
- make sure the prices they charge are reasonable (for example, because you access a service through your Home Care Package, such as gardening services, it should not cost a lot more than if you organised it yourself)
- not disguise price increases by adding additional time to services where that is not required (for example, charging 2 hours for medication administration when it doesn't take that long)
- not set or charge minimum times for services when the service does not require it (for example, only accepting services for 2-hour blocks and refusing to provide a 15-minute service)
- not charge you for services that you do not actually receive
- not charge you separately for subcontracted services, even where you self-manage your home care package.

Your budget

Your provider must give you a written individualised budget that details the care and services you will receive and how much they cost. Your package level will determine what funds are available to you and your budget will set out how these funds will be spent.

You should be involved in planning your budget and it should reflect your assessed needs, goals and preferences.

Your budget must be reviewed and changed where there are changes to:

- your care and services
- the costs of providing care and services
- if you request a review of your budget.

The costs of delivering care will change over time in response to increased wages or increased prices for other goods and services. Your provider will need to review your budget with you regularly to ensure your care needs continue to be met.

Consultation

If your provider is thinking about making changes to your care and services or how you receive them, they must:

- tell you why the change is needed
- explain how the changes will impact you
- give you information to help you make an informed choice
- tell you when they want the changed arrangements to start

- explain what other options you have, if you do not agree to the changes.

You can ask for a support person to assist you to have these discussions with your provider. This could include your representative, an advocacy service like the Older Persons Advocacy Network (OPAN), or an interpreter.

You have the right to negotiate all changes with your provider. If you do not agree to the changes, you can talk to your provider about what works for you and what you want from your package. You can ask your provider to talk you through other options that will work better for you.

If you cannot reach agreement with your provider, you can contact free and confidential services such as OPAN for advocacy assistance when negotiating terms with your provider.

If you do not like the way your provider is making a change, you can give feedback or make a complaint with your provider or contact the Aged Care Quality and Safety Commission (Commission) for assistance.

Services are consistent with your needs, goals and preferences

A care and services plan is consumer directed. This means that your provider should work in partnership with you to determine the care and services you need and how and when these services are delivered.

While your care and services are consumer directed, sometimes:

- your budget may not cover all the care and services you would like (for example, if you require essential care such as nursing, that would be a priority over an extended cleaning service)
- your provider may not be able to deliver all your service preferences exactly how or when you want them
- your provider might ask to change the time you receive your care or services if they do not have care workers available at your preferred time. It's important to be open to this where the request is reasonable and will not negatively impact your safety or wellbeing.

Any changes should be communicated with you in an open and clear way explaining the reasons if they can't accommodate your preference/s. As outlined above, providers are expected to consult with you about any changes to your care arrangements.

Your care and services plan should include:

- the care and services based on your assessed needs, preferences and goals
- who will be providing your care, including if subcontractors will be used
- the day(s), frequency and times of your services

- requests for the types of services you want and any preferences you have, such as your choice of care worker (subject to worker availability)
- details of how the care and services will be delivered including considerations of any risks to your safety and wellbeing.

If you agree to the changes your provider wants to make, it is important to ask for a copy of your updated agreement, care plan, budget or any other documents, to make sure the changes are right and the terms and conditions are as you agreed to with your provider.

While you do not have to sign anything to make the changes, it is important you keep a copy of any updated documents that reflect the agreed changes to your care arrangements.

Ending care and services with your provider

The conditions for ending your home services must be included in your home care agreement.

There are some circumstances where your provider may stop delivering home services to you (called security of tenure provisions). Your provider should only use these provisions as a last resort.

If your provider wishes to stop delivering home services to you, they will need to explain the reasons why and provide proof of these reasons to you.

If your provider ends your care and services, it is your right to choose which new provider you want to deliver your care and services.

It is also your choice if you want to end the delivery of home services with your provider. You should let your provider know in writing. Your home care agreement should provide details about the notice period required and whether the request should be by letter or email. You should work together with your current provider and new provider to ensure there is continuity in your care and services.

Your provider cannot charge you an exit fee for leaving their service.

Comparing or choosing providers using My Aged Care

It is your choice which provider you use for your care and services.

The My Aged Care website helps you to compare and choose providers and has information about the prices they charge. You can also call My Aged Care on 1800 200 422 to find out more information or for assistance to change to a different provider/s.

You can also book a face to face appointment with an Aged Care Specialist Officer by calling 1800 227 475.

You can visit the website: myagedcare.gov.au.

Advocacy and Support

You can contact the Older Persons Advocacy Network (OPAN) support line on 1800 700 600 for free and independent information and support or visit opan.org.au to learn more about how they can help you.

The Commission can help you

If you have any concerns about your care and services, you can raise your concerns with your provider. If you feel uncomfortable talking to your provider about your concerns, or you have already tried without an acceptable outcome, you can contact the Aged Care Quality and Safety Commission and we will help you.

You can contact the Aged Care Quality and Safety Commission by:

Phone 1800 951 822

Online agedcarequality.gov.au

Email info@agedcarequality.gov.au

Mail Aged Care Quality and Safety Commission, GPO Box 9819, <your capital city>

How can the Commission help you?

When you contact the Commission, we will:

- listen to you to understand your concerns
- speak to your provider
- support you and your provider to know your rights and responsibilities

- make sure your provider understands their responsibilities
- help your provider to agree to a plan of action that meets your expectations
- check back in with you to find out if things have improved.

Some questions you can ask your provider

A discussion with your provider can help them to better understand your needs or concerns. You can also ask a family member or advocate to speak on your behalf.

There are some questions included below that may assist you to have these conversations with your provider.

My provider wants to make changes to my care arrangements

- What are all the changes you are asking me to agree to?
 - Changes to prices?
 - Changes to care and services?
 - Changes to care and service scheduled times?
- Why do you need to make these changes?
- Is there any information from the government you can send me about this?

How are the changes going to affect me?

- Will I be worse off with these changes?
- Will I still get the same care and services?
- Is it going to cost me more?
- What are the other options available to me?

My provider wants to increase their prices

- Is everything going to cost me more, or just my personal care?
- Can you show me how my budget will change?
- Will my package funds cover the changes?

My provider wants to change or extend the time of my care and services

- Why is it now taking longer to provide the same care and services?
- I am happy with my current arrangements; can I keep things as they are?
- How will I continue to get my essential services at the right time?

My provider asked me to sign something

- What am I being asked to sign?
- Can I have time to think about it?
- I am not sure I completely understand this document. Is there someone who can help explain it?
- Will I get copies of anything I have signed?

My provider told me they are stopping my care and services

- What are the reasons for stopping my care?
- How are you able to stop my care when we have an agreement?
- How will I get my care and services if you stop providing my care?

If your provider has stopped your care and services without your consent, you can contact the Commission for assistance.

Your checklist

Do I understand what the changes are?	Yes	No	Unsure
Do I understand why the changes are being made?	Yes	No	Unsure
Do I understand why it is costing me more?	Yes	No	Unsure
Was I given a choice?	Yes	No	Unsure
Do I have all the information I need about these changes?	Yes	No	Unsure
Was I given time to think about these changes?	Yes	No	Unsure
Do I have a copy of any document I have been asked to sign?	Yes	No	Unsure

If you answered **no** or **unsure** to any of these questions, you can:

- Talk to your provider for more information
- Contact the Aged Care Quality and Safety Commission



The Aged Care Quality and Safety Commission acknowledges the Traditional Owners of country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to Elders both past and present.

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1800 951 822



Web
agedcarequality.gov.au



Write
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