



Australian Government

Department of Health and Aged Care

PRINCIPLES AND GUIDELINES FOR A YOUNGER PERSON'S ACCESS TO COMMONWEALTH FUNDED AGED CARE SERVICES

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1.0	February 2022	Principles and Guidelines first issued.
1.1	April 2023	Draft updates to reflect changes to the <i>Approval of Care Recipients Principles 2014</i> for younger people seeking access to residential aged care commencing 1 May 2023 – <i>Approval of Care Recipients Amendment (Younger Persons) Principles 2023</i> plus other minor editorial amendments.
2.0	1 May 2023	Final version to reflect changes to the <i>Approval of Care Recipients Principles 2014</i> for younger people seeking access to residential aged care commencing 1 May 2023 – <i>Approval of Care Recipients Amendment (Younger Persons) Principles 2023</i> plus other minor editorial amendments.

1. PART A – INTRODUCTION

1.1. Purpose of Principles and Guidelines for a younger person’s access to aged care (Principles and Guidelines)

As of March 2022, the Aged Care Assessment Supplementary Guidelines for Younger People are no longer in place – they are replaced by these Principles and Guidelines.

The purpose of the Principles and Guidelines is to provide guidance and information to all parties who have roles and responsibilities concerning the pathway and expectations of younger people seeking to access aged care services. Aged care services are designed to support the needs of older people and are generally not suitable for younger people. Ensuring that the needs of younger people are met by the most appropriate support system as early as possible is critical to ensuring they have appropriate and timely accommodation and care.

These Principles and Guidelines cover all younger people under the age of 65 (under 50 years for Aboriginal and Torres Strait Islander peoples, or a person who is homeless or at risk of becoming homeless) including National Disability Insurance Scheme (NDIS) participants and younger people who are not NDIS participants seeking access to aged care services.

1.2. Scope of the Principles and Guidelines

The scope of these Principles and Guidelines includes:

- Overview of the general pathway for a younger person seeking access to aged care services.
- Roles and responsibilities of key parties involved in the pathway for a younger person seeking access to aged care services.
- Overview of matters that may be considered when assessing eligibility to the following aged care services for younger people under the *Aged Care Act 1997* (Aged Care Act): Permanent Residential Aged Care, Residential Respite Care, Home Care Packages Program and Flexible Care.
- Summary of matters that may be considered when assessing eligibility for a younger person to access the Commonwealth Home Support Programme (CHSP).

1.3. Overview of the general pathway for younger persons seeking access to aged care services

To be eligible for aged care services, younger people must meet the eligibility requirements of the Aged Care Act including the *Approval of Care Recipients Principles 2014* (Approval of Care Recipient Principles). The Approval of Care Recipient Principles require that all options for age-appropriate accommodation and supports have been actively explored. Aged care services should only be used as a last resort for younger people.

Prior to undertaking an aged care assessment, younger people should ensure that they have explored all other options, or they are unlikely to meet this eligibility requirement.

Depending on the outcomes of the aged care assessment, and if the eligibility criteria for Approval of Care Recipient Principles have been met, a younger person may be eligible to receive one or more of the following aged care services under the Aged Care Act:

- Permanent Residential Care (Section 3 refers)
- Residential Respite Care (Section 4 refers)
- Home Care Package (Section 5 refers)
- Flexible Care (e.g. Transition Care and Short-Term Restorative Care) (Section 6 refers).

2. PART B – ROLES AND RESPONSIBILITIES

The entry processes for a younger person seeking access to aged care support involve several parties who have certain roles and responsibilities.

2.1. Ability First Australia (AFA)

AFA is responsible for operating the Younger People in Residential Aged Care (YPIRAC) System Coordinator Program, an Australian Government initiative which seeks to provide younger people under the age of 65 and their families with targeted support to navigate the disability, health and housing systems to access accommodation and services outside residential aged care that best meet their needs.

2.2. Ability First Australia (AFA) System Coordinator

An AFA System Coordinator is someone who assists a younger person who is at risk of entering permanent residential aged care, investigate alternative accommodation and mainstream support services including health, housing, disability and palliative care as well as supporting a person to submit an access request form to the NDIS where appropriate. This may include a younger person with high care needs who is not actively seeking access to residential aged care; however, if additional supports are not put in place, they would be at imminent risk of entering residential aged care. The AFA System Coordinator can also assist younger people who are at risk of accessing other high level aged care services i.e. residential respite care, home care and flexible care (where this may lead to residential aged care in the future) to explore more appropriate supports and services. AFA System coordinators focus on providing support for younger people who are not NDIS participants.

2.3. Aged Care Assessment Teams (ACATs)

ACATs (known as Aged Care Assessment Service (ACAS) in Victoria) are responsible for determining whether a younger person is eligible to receive aged care services under the Aged Care Act. When determining a younger person's eligibility, the Aged Care Act requires that ACATs must ensure that requirements in the Aged Care Act and Approval of Care Recipient Principles are met including that there are no other care facilities or care services more appropriate to meet the younger person's needs.

Under revised arrangements, if a younger person is at risk of entering residential aged care, a younger person **must** have worked with the AFA System Coordinator, or the NDIA YPIRAC Team to explore alternative options (refer to section 3.3 Exceptional Circumstances for exceptions to this).

An aged care assessment should only be undertaken once all age-appropriate accommodation and supports have been explored. A completed specific evidence document provided by either AFA or the NDIA YPIRAC Team outlining the options explored for the younger person is a requirement of being eligible for residential aged care and must be provided with the younger person's application for an aged care assessment.

2.4. ACAT Delegate

The ACAT Delegate is the decision maker on which applications under the Aged Care Act will be approved for access to subsidised aged care. While the ACAT delegates are exercising the powers of the Secretary, ACAT delegates are accountable for decisions they make under the Aged Care Act. ACAT Delegate decisions can be subject to review in several different contexts, such as a reconsideration of a decision or be required to justify their decisions before bodies such as the Administrative Appeals Tribunal (AAT).

2.5. My Aged Care

My Aged Care is the entry point for people seeking access to aged care services (by phone or web referral). The My Aged Care contact centre issues a comprehensive screening assessment to the ACAT for a younger person who meets the criteria for an ACAT. For younger people at risk of entering residential aged care, the My Aged Care contact centre will identify the NDIS status of the individual and refer them to the NDIA YPIRAC Team or

AFA in the first instance. For younger people seeking low level supports such as home maintenance, domestic care, meals and transport, etc., the My Aged Care contact centre should provide the younger person with information to seek support through the Carers and Disability Gateways.

2.6. National Disability Insurance Scheme (NDIS)

The NDIS provides Australians under the aged of 65, who have a permanent and significant disability, with the reasonable and necessary disability-related supports they need to live an ordinary life. The NDIS is available in all states and territories and is designed to help people with disability get the support they need so their skills and independence improve over time.

The NDIS provides a participant with individualised funding, through their NDIS plan, for the reasonable and necessary supports that are required as a direct result of the participant's disability to support them to achieve their goals.

The NDIS is governed by the *National Disability Insurance Scheme Act 2013* (the NDIS Act) and the NDIS Rules made under the NDIS Act. The NDIS Act and NDIS Rules set out the principles under which the NDIS operates including the rights of the participant to have choice and control over who delivers their supports and how a participant's goal-based plan with reasonable and necessary supports is approved.

For a support to be included in a participant's plan it must meet the criteria set out in the NDIS Act and NDIS Rules, including that it is reasonable and necessary, required due to the person's disability, not more appropriately provided by another service system, and linked to helping the participant achieve their goals.

2.7. National Disability Insurance Agency (NDIA)

The NDIA is the independent statutory agency responsible for delivering the NDIS.

The NDIA has a team of specialist YPIRAC Planners who work with NDIS participants living in, or at risk of entering residential aged care to ensure their goals and the funded supports in their NDIS plan reflect the reasonable and necessary support needs of the participant. The NDIA YPIRAC planners have the complex support needs and planning expertise to assist younger people, their families, and carers in exploring reasonable and necessary support options to meet their goals.

2.8. Support Coordinator (NDIS-funded provider)

The support coordinator is an employee of a disability support provider who is selected by an NDIS participant to coordinate the supports in their NDIS plan. A support coordinator supports the NDIS participant to understand, navigate and implement the funded support services in their NDIS plan and connect the individual with community, mainstream and other government services. A support coordinator is responsible for assisting the participant to work with disability, health services, housing, and other mainstream and community service systems and providers to explore all available options for NDIS participants who are at risk of entry to residential aged care.

2.9. NDIA Health Liaison Officers (HLOs)

NDIA HLOs are located across Australia to enhance connections between hospitals and the NDIA. HLOs support state and territory hospital staff to ensure they have the right information required for the NDIA to make access or planning decisions for a prospective or existing NDIS participant in hospital. This enables the right supports to be in place to support discharge into the community and minimise the risk of discharge into residential aged care.

2.10. YPIRAC Joint Agency Taskforce (JATF)

The YPIRAC JATF has been established to support the achievement of the Governments YPIRAC targets. It consists of senior representation from the Department of Social Services (DSS) (Chair), the Department of Health and Aged Care (DoHAC), and the NDIA.

For individuals under 50 seeking entry to permanent residential aged care, an ad hoc joint agency taskforce case conference may be convened to consider their needs to ensure all

alternative options have been explored. The information resulting from this process will be provided to the Aged Care Assessor to inform their assessment. Secretariat support for this process is provided by DoHAC (Younger People in Residential Aged Care Branch) (refer to Sections 3.5 and 8.2 of these Guidelines for additional information).

2.11. State and Territory Clinical Health Teams

Younger people at risk of entering aged care often present at hospital and may have newly acquired disability or a change in circumstance which requires a review of their existing care plans. Health services teams will have detailed and current knowledge of the functional performance and prognosis of the younger person. Health teams should engage early with HLOs, Support Coordinators, Local Area Coordinators or AFA System Coordinators to ensure the right supports are in place to support discharge into the community and minimise the risk of discharge into residential aged care.

Further information:

- Ability First Australia <https://abilityfirstaustralia.org.au>
- Younger people in residential aged care – priorities for action - <https://www.health.gov.au/our-work/younger-people-in-residential-aged-care-0/younger-people-in-residential-aged-care-priorities-for-action>
- My Aged Care <https://myagedcare.gov.au>
- NDIS <https://www.ndis.gov.au>

3. PART C – YOUNGER PEOPLES ACCESS TO ELIGIBLE AGED CARE SERVICES

Permanent Residential Aged Care (RAC)

3.1. Overview

To approve a younger person for access to permanent residential aged care, the Aged Care Act requires that there are no other care facilities or care services more appropriate to meet the person's needs (Section 6(1)(b) of the Approval of Care Recipient Principles refers). This is in addition to the overarching requirements specified in the Aged Care Act for all people seeking to access residential aged care.

The Australian Government is working with state and territory governments to reduce the number of younger people living in residential aged care and prevent younger people from entering residential aged care apart from in exceptional circumstances. Aged care services are designed to support the needs of older people and are generally not suitable for younger people.

The Royal Commission into Aged Care Quality and Safety canvassed YPIRAC as part of both its interim and final reports. Recommendation 74 of the Final Report of the Aged Care Royal Commission sought to ensure that, apart from exceptional circumstances, there are:

- no people under the age of 65 entering residential aged care from 1 January 2022;
- no people under the age of 45 living in residential aged care from 1 January 2022; and
- no people under the age of 65 living in residential aged care from 1 January 2025.

Residential Aged Care Facilities (RACFs) provide services to older Australians who require support for everyday activities. This is generally not considered an appropriate setting or service for people aged under 65 years of age (or under 50 for Aboriginal and Torres Strait Islander peoples, or a person who is homeless or at risk of becoming homeless). There are, however, some people in very limited circumstances where appropriate care and support may be provided in a RACF on a permanent basis as reflected in the Exceptional Circumstances policy (Section 3.3 below)

Commencing 1 December 2020¹, NDIS participants can only receive permanent residential aged care supports from a provider that is registered with the NDIS Commission or in the process of commencing registration. Residential aged care providers remain subject to aged care quality and safety requirements as well as the NDIS Quality and Safeguards Commission's (NDIS Commission) jurisdiction in relation to complaints and are required to adhere to the NDIS Code of Conduct².

3.2. National Principles for younger people at risk of entering permanent residential aged care

Diverting younger people from entering aged care is a key strategy in reducing the number of younger people living in permanent residential aged care. Ensuring that individuals are supported by the most appropriate support system as early as possible is critical to ensuring they have appropriate and timely accommodation and care. The following principles establish the basis for the guidelines which operationalise the goal of diversion.

¹ On 1 December 2020, aged care providers with NDIS participants receiving permanent residential care were taken to be registered NDIS providers under section 12 of the National Disability Insurance Scheme Legislation Amendment (Transitioning Aged Care Providers) Rules 2020. These Rules allowed that on 1 December 2020, the Commissioner is taken to have decided to register a person or entity as a registered NDIS provider under section 73E of the National Disability Insurance Scheme Act 2013 (NDIS Act) in respect of providing assistance with daily life tasks in a group or shared living arrangement under participants' plans (providing permanent residential care).

² Refer to the NDIS Commission's website for the regulatory arrangements that apply to residential aged care providers and MPS who provide permanent residential aged care to NDIS participants, from 1 December 2020.

1. No younger person (under 65) should be admitted to permanent residential aged care unless compelling exceptional circumstances can be established.
2. Prolonged hospital stays beyond the time needed for hospital care create significant risks to younger people, are a poor use of health resources, and should be minimised.
3. Identification and confirmation by health personnel of a younger person's NDIS status should occur at the earliest possible stage and younger people who are not NDIS participants should be encouraged to submit an access request to the NDIA (where appropriate) as soon as possible. The NDIA will prioritise the process for access requests for younger people at risk of entry to aged care.
4. AFA System Coordinators will prioritise working with younger people who are at risk of entering residential aged care who are not NDIS participants and will investigate alternative accommodation and support services including supporting NDIS eligibility testing where required.
5. NDIS-funded providers (support coordinators) and the NDIA are responsible for working with health services, housing, and other mainstream agencies in securing all available options for NDIS participants who are at risk of entry to residential aged care.
6. A younger person's preferences should be explored as early as possible to inform and identify appropriate accommodation options e.g. does the younger person/their family have a preference for location, service type or home versus another residential setting? Support options to be considered should include interim and long term housing and supports including but not limited to mainstream and community housing, private rental, home ownership, other interim accommodation, and, for NDIS participants where they are eligible, Medium Term Accommodation, Specialist Disability Accommodation and Supported Independent Living and Home Modifications, noting that consumer choice should be limited to appropriate accommodation, and Government policy is that aged care is not appropriate for younger people.
7. An aged care assessment should only be undertaken once all age-appropriate accommodation and supports have been explored. Evidence of the options that have been considered by the younger person (and/or their guardian/nominee) is a key requirement of being eligible for residential aged care and should be provided by the individual seeking the aged care assessment. Evidence **must** include:
 - an 'Exploration of Home & Living Supports for National Disability Insurance Scheme (NDIS) Participants Form' completed in collaboration with the person **only** by the National Disability Insurance Agency (NDIA) YPIRAC Team; or
 - a 'Summary Report: Younger People at Risk of Entering Residential Aged Care' completed in collaboration with the person by Ability First Australia (AFA).
 Exceptions to this include:
 - a person from an Aboriginal or Torres Strait Islander community who is at least 50 years of age
 - a person who is homeless or at risk of becoming homeless and is a least 50 years of age
 - a younger person who urgently needed residential respite and it was not practical to apply for approval beforehand.
8. The reports are **not** recommending that a younger person access residential aged care (as this is a decision for the ACAT delegate) but are outlining what alternative accommodation and support services have been explored. If an assessment team

requires clarification on any details provided in the report, contact the NDIA (email address specified on template) or AFA (whichever is applicable).

9. Where possible, case conferencing with the NDIA or AFA and/or the individual regarding the options and circumstances of the individual will inform this process.
10. Process steps required to be undertaken should accord with the person's circumstances and avoid undue delays. For this reason, where a person has not tested their NDIS eligibility and does not meet the NDIS eligibility, AFA System Coordinators will work with the individual to explore appropriate services such as state/territory palliative, health, housing or disability services.
11. Younger people seeking access to aged care services other than residential aged care will be required to meet the eligibility of those programs. All younger people with a permanent disability resulting in substantial impact on functional capacity should be encouraged to test NDIS eligibility to ensure they are receiving appropriate support and to demonstrate that they have met the Approval of Care Recipients Principles requirements for aged care eligibility. However, an aged care assessment cannot assess for or find a younger person eligible for **permanent** residential aged care unless they have tested their NDIS eligibility (where appropriate) **and** explored all other accommodation and support options.

3.3. Exceptional Circumstances

Residential Aged Care (RAC) is not designed to support younger people. The Government is committed to meeting its YPIRAC target that, except in exceptional circumstances, no people under 65 will be living in RAC by 2025.

RAC provides an appropriate service to older Australians who require support for everyday activities. It is not an appropriate service offering for people under 65 years of age, however, there are some younger people with certain conditions or circumstances where appropriate care and support may be provided in RAC either on a temporary or permanent basis.

When determining what service offering may be appropriate for a younger person the below circumstances will be considered as exceptional for the purposes of approval and entry to RAC, however a younger person should only enter RAC where it is their preference to do so:

1. Aboriginal or Torres Strait Islander people aged 50-64;
2. A person who is homeless, or at risk of becoming homeless, and aged 50-64; or
3. Maintaining Family connection reasons (such as a person who has been cared for by ageing parents who are now moving into aged care).

Where exceptional circumstances apply to younger people aged 50 to 64 years and who are either Aboriginal or Torres Strait Islander peoples, or who are homeless or at risk of becoming homeless, the documented evidence of alternatives explored is **not** required. This is to ensure that potential barriers to receiving care services are minimised. Aged care assessors should ensure that the younger person is aware that there is support available to explore alternatives should they wish to do so.

While younger people with family connection reasons are still recognised as an exceptional circumstance, the specified evidence requirement is **not waived**, as younger persons in this cohort are seeking entry for reasons in addition to their direct care needs and there are significant benefits from a full exploration of alternative options to inform their decision to enter RAC.

In circumstances where a younger person meets two or more exceptional circumstances, for example a younger person who is an Aboriginal or Torres Strait Islander and is seeking

residential care to maintain family connection, the legislated approach will take precedence meaning the evidence requirement does not apply.

3.4. National Disability Insurance Scheme and Ability First Australia

NDIS-funded providers (such as support coordinators) and the NDIA are responsible for working with health, disability services, housing, and other mainstream agencies in exploring all available options for NDIS participants who are at risk of entry to aged care. For a younger person who is at risk of entering residential aged care and is ineligible for the NDIS, the AFA System Coordinators will work with the individual to explore alternative appropriate services such as state/territory health, palliative, housing, or disability services.

3.5. Additional Information for people aged under 50

Where a younger person aged Under 50 seeking access to permanent residential care is referred to an ACAT for an aged care assessment, the ACAT is asked to advise DoHAC Younger People in Residential Aged Care Branch (Health.YPIRAC@health.gov.au). Where additional information is available to inform the assessment process in relation to s6(1)(b) of the *Approval of Care Recipients Principles 2014* this will be provided to the ACAT delegate for consideration within 10 business days.

3.6. Approved for residential aged care

Should a younger person be approved for permanent residential aged care the following applies:

- They become eligible for an aged care place with an approved aged care service provider.
- The approved aged care provider can claim aged care subsidies and supplements from the Australian Government in respect of the younger person, provided other eligibility criteria for the subsidy are met.
- The younger person may pay aged care fees.
- The younger person will be protected by the aged care quality and safeguards arrangements for their aged care services and care. If the younger person is also an NDIS participant, they will also be protected by the NDIS quality and safeguards arrangements.

3.7. Existing recipients of residential aged care

Younger people currently living in a RACF have security of tenure and some may not have a goal to leave. In recognition that these facilities have become their home individuals may decide to remain in residential aged care.

The Australian Government, through the NDIA and AFA, is committed to continue to work with these individuals to build their capacity to engage with the community outside of a RACF and revisit their preference to stay on a regular basis, ensuring they have all the appropriate information and support available to them to make an informed decision, should they wish to leave.

4. ACCESS TO RESIDENTIAL RESPITE CARE/SHORT-TERM ACCOMMODATION

4.1. Access for NDIS participants seeking Short term Accommodation

Short Term Accommodation (STA) is an NDIS-funded support that aims to support the ongoing care arrangements between NDIS participants and their carers. STA provides the opportunity for the participant to be supported by someone else for a designated period, enabling their carer to have a short-term break from their usual caring responsibilities. STA is not for housing crisis situations.

An NDIS participant can access STA where it is a funded support in their NDIS plan through a registered STA provider of their choice. Some RACFs are separately registered with the NDIS Commission for STA. This arrangement sits outside the Aged Care Act. The arrangement is considered a private arrangement between the provider and the individual and is regulated by the NDIS Commission.

An NDIS participant wishing to access STA with a registered provider (including RAC providers) will not be required to undergo an ACAT assessment to access STA.

4.2. Younger person seeking subsidised Residential Respite Care

Where a younger person (including an NDIS participant) is seeking to access subsidised Residential Respite Care delivered under the Aged Care Act, they must meet the requirements of the Aged Care Act including eligibility under the Approval of Care Recipients Principles and be assessed by an ACAT. This includes that all options for age appropriate accommodation and supports have been explored including testing eligibility for NDIS (if appropriate*) by either AFA or the NDIA. The exploration of these options for **residential respite care** should be documented on the specified templates.

***Note:** It is recognised that some younger people seeking access to age care services will not meet the basic eligibility for the NDIS as specified in the initial NDIS eligibility checklist. In these circumstances, AFA System Coordinators will work with the individual to explore appropriate services such as state/territory palliative, housing, or disability services.

4.3. Younger person seeking urgent residential respite care

Where a younger person (including an NDIS participant) requires urgent residential respite care that cannot be met by any other service providers in a timely way and the person is considered at significant risk of harm, they can be approved for residential respite care under the provisions in Division 22-5 (2) of the Aged Care Act without completing the NDIS access test or fully exploring alternative accommodation options. The specified evidence is not required to complete the aged care approval for residential respite in this circumstance. However, if eligible, the aged care assessment, would be limited to respite and must not include an assessment for permanent residential aged care at that time. The ACAT is also open to specify a period for the residential respite approval (time-limit), if appropriate.

The ACAT should advise the NDIA YPIRAC Team at AGED.CARE.ADVISORY.TEAM@ndis.gov.au (for existing NDIS participants) where a younger person is assessed as eligible for residential respite care so that the participant can be supported by NDIA to explore long-term supports as required.

The ACAT should advise AFA on 1800 771 663 for people who are not NDIS participants or individuals yet to have tested their NDIS eligibility to explore more appropriate long-term supports including testing their NDIS eligibility (where appropriate). **Alternative options outside of the aged care system must be explored by the NDIA or AFA prior to consideration of their eligibility for permanent residential aged care.**

5. ACCESS TO HOME CARE PACKAGE

5.1. Younger person seeking access to and approval for HCP

To approve a younger person for access to the Home Care Packages (HCP) Program, aged care legislation requires that, for a person who is not an aged person, there are no other care facilities or care services more appropriate to meet the person's needs (Section 7(1)(e)-(4)(e) of the Principles).

In the first instance, younger people seeking an assessment for HCP or reassessment for a higher package level should explore and exhaust age-appropriate services outside of the aged care system before assessment or reassessment. This may include:

- testing their eligibility for the NDIS and receiving an outcome;
- for NDIS participants, contacting the NDIA to explore whether their existing NDIS plan could be used to fund supports or whether it requires review; and
- seeking support through state/territory-based services, such as housing, palliative care, health, and community services including aids and equipment programs.

State and territory services provide a range of supports in the home and these offer an age-appropriate option for younger people. For example, community service supports may offer:

- personal care
- cleaning and household chores
- transport
- assistance with shopping
- recreational activity support
- meal preparation
- basic home maintenance

These services should be explored and exhausted by younger people, particularly when an individual is seeking access to a small number of services and/or hours of service.

The My Aged Care contact centre will advise the younger person (and/or their representative/authorised representative) that prior to being referred to an ACAT for consideration of their eligibility for HCP support, they will need to have available for the ACAT evidence that they have explored and exhausted all other support options as listed above.

There must be sufficient documentary evidence to support a younger person assessment and approval for an HCP. This documentation must be supplied to an ACAT assessor, who is responsible for reviewing the evidence in line with the Aged Care Act and the Approval of Care Recipient Principles.

5.2. Younger NDIS participant seeking access to HCP

For a younger person who is an approved NDIS participant, the My Aged Care contact centre will refer them to their NDIS support coordinator to explore whether their existing NDIS plan could be used to fund supports or whether it requires review to suit their support needs.

5.3. Existing recipients of HCP and the NDIS

If an existing HCP recipient is eligible for the NDIS, and are already receiving an HCP, a younger person can leave their HCP when they commence receiving NDIS services. If the younger person retains their HCP their aged care fees will remain payable and funding will only be provided based on and up to their approved package level.

Where someone continues to access services under both HCP and NDIS programs, an ACAT reassessment may be required as the person's care needs change.

In the event the younger person seeks a reassessment for a higher package level, the younger person should explore and exhaust age-appropriate services outside of the aged care system before reassessment. This includes, but not limited to:

- contacting the NDIA to request a review of their supports and funding where their circumstances have changed, and
- seeking support through state/territory-based services, such as housing, palliative care, health, and community services including aids and equipment programs.

The individual will need to provide documentary evidence to the ACAT that they have explored and exhausted all these options. Where a younger person is deemed eligible for a higher package level, and they are an existing NDIS participant, the ACAT should advise the NDIA YPIRAC planning team at AGED.CARE.ADVISORY.TEAM@ndis.gov.au as a review of their funding/support needs may be required.

Further information:

For more information about the HCP Program, please refer to the [HCP Program Operational Manual: A Guide for Home Care Providers](#) available on the Department's website at www.health.gov.au.

6. ACCESS TO FLEXIBLE CARE (TRANSITION CARE PROGRAMME AND SHORT-TERM RESTORATIVE CARE)

To approve a younger person for access to the Transition Care Programme (TCP) or the Short-Term Restorative Care (STRC) Programs, there must be no other care facilities or care services more appropriate to meet the person's needs. The TCP and STRC programmes are primarily designed to optimise the functioning and independence of older Australians. Therefore, people who are not suffering from age related functional decline may not fully benefit from the care and services delivered through the time-limited TCP and STRC programmes.

As a last resort, a younger person (including NDIS participants), may be able to access services through the TCP or STRC, where other services are inappropriate or not available.

In this situation, the individual should have evidence that clearly demonstrates that all other options have been tested, including NDIS eligibility where appropriate, or, for existing NDIS participants, contacting the NDIA to explore whether their existing NDIS plan could be used to fund supports or whether it requires review, noting the NDIS does not fund rehabilitation or restorative care services including TCP and STRC type programs.

To be eligible for TCP or STRC, an individual will need to be approved by an ACAT and meet the specific eligibility requirements of those programs, as set out in the TCP Guidelines and the STRC Programme Manual respectively. The aged care assessment, however, would be limited to TCP or STRC and should not include an assessment for permanent residential aged care at that time.

If a person is eligible for TCP or STRC, the following applies:

- They can receive TCP or STRC services through an approved service provider.
- The service provider can claim STRC subsidies from the Australian Government, and in the case of TCP, from the State or Territory Government.
- The person will pay TCP or STRC fees, where they have been assessed as eligible to pay and can afford to do so.
- The person will be protected by relevant Aged Care Quality Standards (or in the case of the TCP, the Aged Care Quality Standards and the National Safety and Quality Health Standards, if the Transition Care provider is accredited by the Australian Commission on Safety and Quality in Health Care) and safeguards, which are outlined in the relevant programme guidelines and Schedule 2 of the *Quality-of-Care Principles 2014*.
- Where a younger person is deemed eligible for TCP or STRC, and they are an existing NDIS participant, the ACAT should advise the NDIA YPIRAC planning team at AGED.CARE.ADVISORY.TEAM@ndis.gov.au as a review of their funding/support needs may be required.

7. ACCESS TO COMMONWEALTH HOME SUPPORT PROGRAMME (CHSP)

The CHSP is not governed by the Aged Care Act. Unlike aged care services under the Aged Care Act, the CHSP is restricted by age. CHSP services are available to frail, older people aged 65 years and older (50 years and older for Aboriginal and Torres Strait Islander people).

The CHSP provides funding for a broad range of entry-level aged care support services and is designed to provide a relatively small amount of care and support to a large number of frail older people to help them to remain living at home and in their communities.

Access to all services through the CHSP is subject to screening by the My Aged Care contact centre and assessment by the Regional Assessment Service (RAS), to determine the suitability of CHSP services. ACATs can also assess people for eligibility for CHSP. RAS and ACAT assessors cannot recommend CHSP services if a person does not meet the CHSP age requirements.

Younger people requesting access to CHSP, unless facing exceptional circumstances, will be directed in the first instance to the relevant state or territory disability and/or health services.

8. PATHWAYS FOR YOUNGER PEOPLE SEEKING ACCESS TO AGED CARE SERVICES.

8.1. My Aged Care contact centre – Screening

- My Aged Care is the entry point for younger people seeking access to aged care services. Generally, a younger person requests access to aged care service via the contact centre 1800 200 422 and www.myagedcare.gov.au. If appropriate, the contact centre creates a clients record and registers the client.
- The contact centre will recommend to the younger person (and/or their representative/authorised representative) that prior to consideration of their eligibility for aged care support, that they should test NDIS eligibility (where appropriate), to ensure they are receiving appropriate support and that they will need to provide documentary evidence that they have explored and exhausted all other age-appropriate accommodation and support options.
- Where the individual can provide sufficient assurances to the contact centre that they can demonstrate that the above actions have occurred (e.g. can provide the required documented evidence to support their access request to aged care), the individual will be screened to determine the appropriate assessment pathway, i.e. for aged care services under the Aged Care Act and referred to an ACAT if appropriate.
- Where the screening indicates a home support assessment pathway and the person does not meet the CHSP eligibility, the person will be advised that they are not eligible for aged care services. They will also be advised to consider other options such as to contact their General Practitioner or to consider private services (if appropriate).
- Where the person is at risk of entering residential aged care the contact centre will refer the younger person (and/or their representative) to either the NDIA YPIRAC Team at AGED.CARE.ADVISORY.TEAM@ndis.gov.au (for existing NDIS participants) or AFA (for people who are not NDIS participants on 1800 771 663) to explore all possible avenues for suitable accommodation and support options.

8.2. ACAT Assessment

An ACAT assessment should not be undertaken on a younger person while the exploration of alternative options is being undertaken by the NDIA and participant's NDIS-funded support coordinator, or AFA System Coordinators except where urgent short-term care is needed (refer to Section 4 of these Guidelines).

The ACAT is responsible for ensuring that the applicant meets the eligibility requirements under the Aged Care Act, the Approval of Care Principles eligibility requirements, including the *Approval of Care Recipients Amendment (Younger Persons) Principles 2023*. This is through the completion of the request for *Aged Care Assessment of Younger Person Check Form* (Check Form). Generally, a referral for an aged care assessment only progresses once the ACAT is satisfied that all alternative options have been explored, including testing NDIS eligibility (where appropriate).

An ACAT should not self-refer a younger person nor receive direct requests from a younger person (or their representative) for an aged care assessment. In such instances, the ACAT should advise the younger person (or their representative) that it is usual practice for the younger person to have explored age-appropriate accommodation and support options. The younger person should be advised to contact the My Aged Care contact centre. Exceptions to this include:

- a person from an Aboriginal or Torres Strait Islander community who is at least 50 years of age

- a person who is homeless or at risk of becoming homeless and is at least 50 years of age

Evidence of the options that have been identified and considered by the younger person is a key aspect of being eligible for aged care services and must be documented.

To the extent possible, the younger person (and/or their representative) is to provide the ACAT with evidence to support their request for an aged care assessment prior to an assessment being scheduled.

- Supporting documentation should include identification of whether a person is an NDIS participant, and may also include, but is not limited to, medical practitioner letters, relevant health information/diagnosis, NDIS Access decision letter, and or any other related documents.
- Specific evidence when applying to be approved as a recipient of residential care (residential respite and permanent residential) is required. The application for a younger person must be accompanied by either:
 - an 'Exploration of Home & Living Supports for National Disability Insurance Scheme (NDIS) Participants Form' completed in collaboration with the person only by the National Disability Insurance Agency (NDIA) Planning Team; or
 - a 'Summary Report – Younger People at Risk of Entering Residential Aged Care' completed in collaboration with the person by Ability First Australia (AFA).

This documentary evidence is not required for:

- a person from an Aboriginal or Torres Strait Islander community who is at least 50 years of age
- a person who is homeless or at risk of becoming homeless and is a least 50 years of age
- a younger person who urgently needed respite care when it started and it was not practical to apply for approval beforehand.
- For individuals under 50 years seeking entry to permanent residential aged care after they have worked with the NDIA or AFA to explore alternative options and who are likely to be assessed suitable for permanent residential care, an ad hoc JATF case conference may be convened to consider their needs to ensure all alternative options have been explored. ACATs should email Health.YPIRAC@health.gov.au to advise when a referral for an individual under 50 years is received. Information from this process should be provided to the Aged Care Assessor to inform their assessment against s6(1)(b) of the Approval of Care Recipients Principles within 10 working days of receipt of the email.
- All information must be documented and included as an Attachment or File Note to the Client Record and referenced in the Check Form.
- Where the assessor is satisfied and has documented evidence that the Approval of Care Recipient Principles eligibility requirements have been met, the younger person (and/or their representative) can apply to become a care recipient for the purposes of the Aged Care Act by completing the *Application for Care Form*. This must be completed prior to a comprehensive ACAT assessment being undertaken.

Some cases may not proceed past the referral stage if ACAT determines that more appropriate solutions for younger persons are available and need to be explored.

- If the ACAT determines that more appropriate solutions and services for younger persons outside aged care are available, they should refer NDIS participants to the

NDIA; and individuals not eligible for the NDIS, or who are yet to test their NDIS eligibility, to AFA.

Within the hospital setting, the ACATs are not expected to be involved in the younger person's discharge planning other than in exceptional circumstances (refer to Section 3.3).

- Generally, if the individual is an NDIS participant, they will likely have an NDIS primary contact (this may be their support coordinator or NDIA planner), or they may be engaged with a NDIA HLO, who can liaise with the hospital discharge planner.
- For individuals who are not NDIS participants, hospital personnel (discharge planners/social workers) can seek assistance from the NDIA HLO or, if the younger person is at risk of entering residential aged care, AFA who can assist in exploring all options for accommodation and support services to meet the person's needs including testing eligibility for NDIS access.

8.3. ACAT Assessment and delegation

An aged care assessment and delegate processes should be undertaken as per guidance in Parts B, C (7.3) and D of the My Aged Care Assessment Manual, and the Fact Sheet – Assessing a Younger Person for Aged Care Services.

The formal ACAT assessment process will include the completion of the Application for Care form, the Check Form and evidence requirements as above, the use of the National Screening and Assessment Form and any Supplementary Assessment Tools, notification of the assessment outcome through issue of an Approval or Non-Approval letter which includes the evidence supporting the decision, the reason for the decision and appeal rights.

The ACAT delegate is the final decision maker on which applications will be approved for entry into residential aged care. In urgent situations where the individual is considered at risk of harm, a younger person (including NDIS participants) may be found eligible for Residential Respite Care under the provisions in Division 22-5 (2) of the Aged Care Act.

If the ACAT delegate decides to specify a period (time-limit) for the approval, a support plan review should be scheduled prior to the expiry of the approval to establish if the client still requires support and ensure age-appropriate accommodation and support options have become available. Liaison with the NDIS YPIRAC Team or AFA should be part of the review and an exploration of options completed before any decision about further aged care assessment or approval.

9. DEFINITIONS

‘Aged care services’ means residential aged care services, flexible care services, residential respite care services and home care services, unless specified otherwise

‘ACAT’ means Aged Care Assessment Team. Referred to as Aged Care Assessment Service (ACAS) in Victoria

‘ACR’ means Aged Care Respite

‘ACAT Delegates (Delegate)’ means occupant of positions to which the power to approve a person as a care recipient under the Aged Care Act has been delegated by the Secretary

‘AFA’ means Ability First Australia

‘Aged Care Act’ means *Aged Care Act 1997*

‘Aged Care Respite’ means Residential Respite Care

‘CHSP’ means Commonwealth Home Support Programme

‘Client’ means individual applying for approval as a care recipient type or types of aged care

‘Department’ means the Department of Health, unless specified otherwise

‘DOH’ means the Department of Health

‘DSS’ means the Department of Social Services, unless specified otherwise

Exploration of Home & Living Supports for NDIS Participants Form means the document that must accompany a younger person’s application for residential aged care – to be completed by NDIA for an NDIS participant

‘FAS’ means First Assistant Secretary, Market and Workforce Division, Department of Health, unless specified otherwise

‘Government’ means Australian Government, unless specified otherwise

‘Guidelines’ means the Aged Care Assessment Supplementary Guidelines for Younger People

‘HCP’ means Home Care Package

‘JATF’ means Joint Agency Taskforce

‘NDIA’ means National Disability Insurance Agency, unless specified otherwise

‘NDIS’ means National Disability Insurance Scheme

‘Older Person’ means an individual 65 years and over (or 50 and over and Aboriginal and Torres Strait Islander peoples)

‘RAC’ means Residential Aged Care

‘RAS’ means Regional Assessment Service

'RACF' means Residential Aged Care Facility

'STA' means Short-Term Accommodation

Summary Report: Younger People at Risk of Entering Residential Aged Care means the document that must accompany a younger person's application for residential aged care – to be completed by AFA for a person who is a non-NDIS participant

'the Principles' means *Approval of Care Recipient Principles 2014*

'the Secretary' means the Secretary of the Department of Health, unless otherwise stated.

'Younger Person' means an individual under the age of 65 years (or 50 years and Aboriginal and Torres Strait Islander peoples or 50 years and homeless or at risk of homelessness)

'YPIRAC' means Younger Person in Residential Aged Care