



# Meal obligation for in-home aged care and community respite

## Explainer document for Release 4b of the Rules of the new Aged Care Act 2024

This document provides an overview of the proposed meal obligation outlined under the Rules of the new *Aged Care Act 2024* (new Act) (^148-20). Consultation on this provision is occurring as part of Stage 4b [consultation on the Rules of the new Act](#).

### Overview

A meal obligation has been developed to regulate Commonwealth funded meals and refreshments delivered to an older person's home and provided during community respite under the new Act. The obligation aims to ensure meals and refreshments are nutritious, appetising and have regard to older people's abilities and preferences. Providers are required to have meals and refreshments assessed by an Accredited Practising Dietitian (APD) and drive continuous improvement through implementation of a quality assurance framework that considers older people's satisfaction with meals and refreshments.

The obligation was developed considering the differences between the residential care and home and community care settings including:

- meals in the community may not provide 100% of nutrition for older people as older people commonly supplement funded meals with other food and drinks.
- older people use meal services differently, some have three meals a day, while others occasionally receive delivered meals.

As such, the obligation ensures meals and refreshments delivered meet the nutritional needs of the cohort of people over the aged of 65 years<sup>1</sup>. While the obligation does not require providers to address each older person's individual needs and preferences, the quality assurance framework requirement ensures older people's feedback on meals including their personal preferences is considered by providers when developing meals and menus.

To support dignity of risk and choice for older people the obligation will not monitor or seek to influence older people's decisions regarding the meals they select.

The meal obligation would apply to registered providers who deliver meal services under provider registration category<sup>1</sup> – Home and community services and category 4 – Personal and care support in the home and community delivering community, centre-based and cottage respite. Under the new Act, registered providers are responsible for meeting all regulatory requirements even when a subcontracted company or associated provider may be used to deliver services.

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<sup>1</sup> 50 years and over for Aboriginal and Torres Strait Islander peoples

## Interpretation

### Meals and refreshments are appropriate for older people

The intention of the meal obligation is to ensure that meals and refreshments delivered are appropriate for the needs of older people aged 65 years and older. For example, meals and refreshments would be designed considering the needs of older people as a cohort such as higher protein and calcium requirements. Meals and refreshments designed for specialised diets such as vegetarian, low sodium, diabetic or texture modified will consider the needs of older people requiring these diets.

Providers must have regard for the abilities and preferences of older people when delivering meals and refreshments. Providers would be expected to make available meals and refreshments in line with the needs of each older person's identified specialised diet needs such as gluten free meals.

### APD assessment

To ensure meals and refreshments offered by a registered provider are nutritious and appetising, APDs must assess meals and refreshments at least annually including menus for specialised diets. APDs would consider the most appropriate contemporary and evidence-based practice to make their assessment of meals and refreshments to determine if they are appetising and nutritious. It would be expected that where new or modified menu items are added following APD review, the provider has considered advice from the APD on how to develop meals that are appropriate for the intended audience of the meals and refreshments. Where access to APDs is limited such as in geographically challenged areas, APD assessment can be conducted remotely however should include assessment of photos and videos to assess appeal. Additional guidance will be provided to assist APDs and providers to understand what meal and refreshment assessment should consider.

### Quality assurance framework

The quality assurance framework seeks to ensure meals and refreshments are continuously improved. The obligation ensures feedback from older people is considered as part of the quality assurance framework. Feedback could be sourced from a range of activities that fit the needs of providers and older people such as surveys with older people, telephone calls or discussions when meals are delivered to an older person's home. This feedback must include older people's satisfaction with aspects of the meals and refreshments such as taste, size and variety. To continuously improve meals, providers must also consider the APD assessment of meals and refreshments.