



Transition Care Program

New Aged Care Act 2024 implementation

Frequently asked questions

These FAQs are designed to provide targeted, practical clarification and guidance to States, Territories and Transition Care Program (TCP) registered providers on how implementation of the new *Aged Care Act 2024* (the Act) on 1 November 2025 impacts the following program elements:

- interaction of the TCP with Support at Home and Commonwealth Home Support Program (CHSP);
- TCP places and Notices of Allocation;
- Annual Accountability Reports (AARs); and
- relevant legislative references.

This information should be read in conjunction with the updated TCP Guidelines, the Act and subordinate legislation (the Rules), and relevant Aged Care Assessment and registration and accreditation guidance documentation.

Who is responsible for ensuring no duplication of services for TCP clients already accessing Support at Home or CHSP services?

- People receiving Support at Home or CHSP services will also be able to access TCP concurrently.
 - Under the new Act, individuals can continue to receive services under the Support at Home program or CHSP while also receiving transition care, provided there is **no duplication of services** between the Support at Home or CHSP and TCP registered providers in service provision.
 - It is the responsibility of the participant to notify their Support at Home or CHSP provider of their intention to enter transition care.
 - In these instances, both the Support at Home **and** TCP registered providers should consult and coordinate between them the care and service provision to the individual so as to avoid any duplication of services but ensure the participants needs are met.
- A reminder, TCP clients will not be able to access supports via the new Restorative Care Pathway concurrently.
- Further information regarding Support at Home program arrangements while accessing transition care is available in the Support at Home Program Manual on the department's website at: health.gov.au/resources/publications/support-at-home-program-manual-a-guide-for-registered-providers
- Additional information regarding CHSP arrangements while accessing transition care is outlined in the CHSP 2025-27 Manual on the department's website at:

What is the process for sending Notices of Allocation to registered providers of transition care?

- Once an allocation of TCP places has been made by the System Governor under section 95 of the Act, a **Notice of Allocation** is required to be provided under section 96 of the Act to each registered provider that has been allocated places.
- The Notices of Allocation will state:
 - the applicable service groups (i.e. home support service types, residential care service types and assistive technology service types) nominated registered providers of the State or Territory will be delivering TCP services under, depending on the identified TCP service delivery setting;
 - any condition on the allocation of the places; and
 - details about when the places take effect.
- The department will distribute Notices of Allocation to state/territory governments in the first instance.
 - Where applicable, state/territory governments will be responsible for forwarding these to their nominated registered providers within 14 days of the date the Notices of Allocation were signed. The 14-day timeframe is a requirement stipulated under section 96 of the Act.

What are the Annual Accountability Report (AAR) processes under the new Act and Rules?

- Annual Accountability Reports are referred to in section 166-745 of the Rules.
- There are **no changes to what is needed to be reported in AARs under the new Act**.
- While the new Act and Rules state that registered providers are to submit the AARs to the System Governor, it will be a decision for each state and territory as to whether they continue to collate the AAR reports from their nominated registered providers and provide a combined pack to the TCP team annually, or request that their nominated registered providers send them directly to the Commonwealth.

What parts of the new Act and Rules apply to the TCP?

- The key provisions of the *Aged Care Act 2024* and Aged Care Rules 2025 that apply to the TCP are listed below. The new provisions will be reflected in the updated TCP Guidelines.

Aged Care Act 2024

- Section 7 – definition of the TCP
- Section 10(2) – definition of Residential Care Home
- Section 11(2) – definition of a Registered Provider
- Section 11(6) – definition of Associated Provider
- Section 12 – definition of Responsible Person

- Sections 57-71 – applying for aged care services, aged care needs assessments/reassessments, and approval of access to funded aged care services
- Sections 95-101 – allocation of TCP places
- Section 147 – commitment to continuous improvement and continuous improvement plan
- Section 148 – conditions related to the delivery of funded aged care services
- Section 152 – condition of registration relating to worker screening and qualification and training requirements
- Sections 162-163 - conditions of registration related to restrictive practices
- Sections 164-165 – management of incidents and complaints
- Section 167 – obligations relating to reporting a change of circumstances
- Section 168 – obligations relating to protection of personal information
- Sections 173-174 – obligations to comply with the Aged Care Code of Conduct for aged care workers and responsible persons
- Sections 247 and 248 – subsidy for certain specialist aged care programs
- Section 260 – claims and payment of subsidies
- Section 286 – fees payable by individuals receiving transition care
- Sections 537-542 – use and disclosure of protected information by the Commonwealth Government
- Section 543 – retention of records by former registered providers
- Chapter 1, Part 3 – Aged Care Statement of Rights & Aged Care Statement of Principles
- Chapter 3, Part 4 – obligations of registered providers etc. and conditions on registration of registered providers
- Chapter 6, Part 15, Division 1 – civil penalty provisions for false or misleading information
- Chapter 7, Part 5 – Whistleblower protections

Aged Care Rules 2025

- Section 80-65 – applying for an extension to a TCP episode
- Sections 95-5-101-5 – allocation of a place to registered providers for certain specialist aged care programs
- Sections 147-5 and 147-10 – continuous improvement
- Section 166-745 – Annual Accountability Reports for the TCP
- Sections 152-15 and 152-25 – worker screening requirements and police certificates
- Sections 167-25 and 167-30 – suitability of responsible persons and change of responsible persons of a registered provider
- Section 247-15 – requirements for Agreements for delivery of funded aged care services – Transition Care Program

- Section 249-90 – amount of subsidy for the Transition Care Program
- Section 260-15 – claiming of TCP subsidies
- Sections 286-5 - 286-10 and 286-20 – fees payable by individuals receiving transition care and financial hardship policy
- Chapter 1, Part 3 – Aged Care Service List
- Chapter 1, Part 5 – Aged Care Code of Conduct
- Chapter 1, Part 6 – Aged Care Quality Standards
- Chapter 4, Part 4, Division 3, Subdivision C & D – Service Agreements and Care and Services Plans
- Chapter 4, Part 10, Division 1 – incident management
- Chapter 5, Part 2, Division 2 – reportable incidents
- Chapter 7, Part 9 – subsidy for specialist aged care programs

For questions or queries about the content in this factsheet, email:

TCP@health.gov.au