

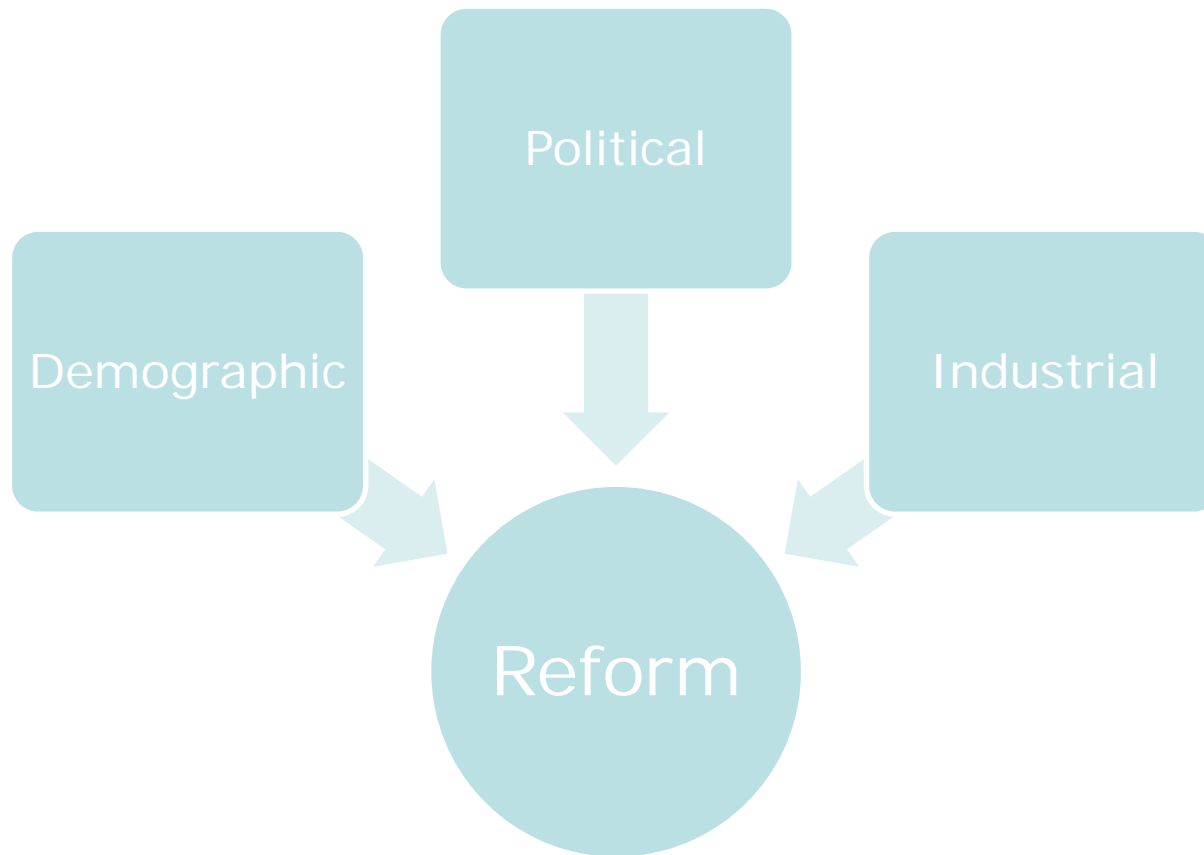
Alzheimer's Australia National  
Conference Brisbane 2011  
Dementia and Reform to the Regulation of Aged Care

Tim Longwill- Partner

# Why is it an issue?

- time for reform
- better data and recognition of the condition and its management

# Why is it an issue?



## Political issue

- Productivity Commission draft Report “Caring for Older Australians” .
- formulate policy around
  - independence, wellness and contribution
  - access to person centred care with ability to evolve
  - choice and control
  - dignity and respect
  - understandable
  - affordable

## Identified problems

- delays and disconnect
  - lack of continuity of care and evolution
  - constraints on pricing, service and services
  - insufficient 'special' care recognition
  - workforce shortages
  - burdensome documentation
  - risk aversion
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# Demographic matters

- increasing aged demographic 5.1% .85 in 2050
- 08-09:
  - 53% Res care with dementia diagnosis
  - 87% appraised as ACFI high care
  - 56% issues in behaviour care cf 17% balance pop
  - Alzheimer accounts for 76%
  - average cost difference \$6,500
  - average stay is longer in high care

# Industrial Matters

- Low paid authorisation case
- Pay equity (equal remuneration) case
- Workforce issues
  - lack of pay
  - lack of training
  - lack of career path
  - lack of peer support opportunities
  - regulatory burden

# Realities

- Glenn Rees

*'...dementia is **core business** in aged care...it is both under-recognised and underfunded...'*

- ACA Rod Young

current inadequate system *"...very centralised planning system imposing a one size fits all response to a variety of care and clinical needs..."*



# Realities

- Number of times 'dementia' is mentioned
    - the Law Reform Commission discussion paper in 1994 prior to the commencement of Aged Care Act 1997
    - Aged Care Act 1997
    - Accreditation Grant Principles (44 Expected outcomes)
    - Quality of Care Principles
    - User Rights Principles
  - over 800 pages legislation?
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# Recommendations

- Offer industry recognition of maturity through:
  - appropriately resourced trained and recognised staff
  - properly provide for aged care fund aged care
  - educate in terms of dementia (cancer, aids etc)
  - individualise care
  - integration of services with the coordinated ability to evolve with the older person
  - reduce or eliminate focus on process not outcomes

# Recommendations

- stop one size fits all department analysis
- reward focus on independence
- reward early intervention strategies
- appropriate equities for providing care to care-intense residents
- legislate for dementia as mainstream
- encourage independence by not rewarding dependence.
- funnel residents to appropriate accommodation

## Contact Details

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# Alzheimer's Australia National Conference Brisbane 2011

Making a QCAT Application – a solicitor's perspective

Scott Whitla - Partner

# Types of Application

- Appointment of Administrator
- Declaration of Capacity
- Validity of a Transaction or EPA

# Making the Application

- Use of proper forms
- Medical Reports
- Financial management plan
- Capacity, Need and Appropriateness
- The Public Trustee



## Other Matters

- Interim appointments and urgent orders
- Delays with hearing dates
- Solicitor representation
- Inquisitorial approach
- Costs

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