

ACCOMMODATION PRICE DAY AGREEMENT

RELEVANT LEGISLATION

Relevant legislation in respect to the Price Day Agreement is in the Aged Care Act 1997 and the Fees and Payments Principles 2014 (No. 2).

The Aged Care Act 1997

Paragraph 52F-1(1) of the Aged Care Act 1997 specifies the information that must be provided to, and agreed with by the care recipient in writing prior to permanent admission. This paragraph states that this information is in addition to the Accommodation Agreement.

The document that meets these requirements is commonly referred to as the "Price Day Agreement". Please contact me on 0424091186 or paul.griffiths1958@gmail.com should you wish to purchase a Price Day Agreement template (\$300).

Paragraph 52F-1(1) of the Aged Care Act 1997 is copied below for your convenience. Please note, paragraph 52F-3(1)(e) of the Act is also relevant to content.

"Division 52F – Accommodation Agreements

52F-1 Information to be given before a person enters residential or eligible flexible care

(1) Before a person enters a residential care service or an *eligible flexible care service, the provider of the service must:

(a) give the person:

(i) an *accommodation agreement; and

(ii) such other information as is specified in the Fees and Payments Principles; and

(b) agree with the person, in writing, about the maximum amount that would be payable if the person paid an *accommodation payment for the service.

Note: Whether or not a person pays an accommodation payment depends on their means tested amount, which may not be worked out before they enter the service."

Fees and Payments Principles 2014 (No. 2)

Division 2 Section 19(1)(b) to (d) of the Fees and Payments Principles 2014 (No. 2) provide the specific information requirements for the Price Day Agreement.

Division 2 Section 19(1) of the Fees and Payments Principles 2014 (No. 2) is copied below for your convenience. Please note, Sections 20-22 of the Fees and Payments Principles 2014 (No. 2) are also relevant to the content of the Price Day Agreement.

“Division 2 Section 19 The approved provider must publish information about maximum accommodation payment amount etc

(1) If an approved provider of a residential care service or an eligible flexible care service proposes to charge an accommodation payment for a room, or a part of a room, in the service, the approved provider must make the following information publicly available in relation to the room or the part of a room:

(a) a statement (including the information referred to in subsection (2)) describing the key accommodation features of the room or the part of the room;

(b) the maximum accommodation payment amount (expressed as a refundable accommodation deposit amount, and as a daily accommodation payment amount worked out in accordance with section 20) that the provider could charge a person on a day for the room, or a part of the room, if the person made an agreement with the provider under paragraph 52F-1(1)(b) of the Act on that day;

(c) information explaining the options (as provided in paragraph 52F-3(1)(e) of the Act) for paying the accommodation payment for the room or the part of the room;

(d) at least one example of the daily accommodation payment amount (worked out in accordance with section 20) that would be payable for the room, or the part of the room, if the accommodation payment were paid by a combination of refundable accommodation deposit and daily accommodation payments.”

Paul Griffiths

Aged Care Consultant 26/06/16