

SESLHD PROCEDURE COVER SHEET



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EXECUTIVE SPONSOR or EXECUTIVE CLINICAL SPONSOR	Director, Population and Community Health
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FUNCTIONAL GROUP(S)	Aged Care and Rehabilitation
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SUMMARY	This procedure provides guidance to staff throughout the discharge planning process for younger people in hospital with disability or premature aged related needs. The document aims to inform about the Commonwealth eligibility requirements for younger persons to access services or accommodation supports through the aged care system, the intersection with the National Disability Insurance Scheme (NDIS) and the appropriate referral processes.

COMPLIANCE WITH THIS DOCUMENT IS MANDATORY

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Procedure for younger persons in hospital seeking Commonwealth funded Aged Care services**SESLHDPR/741****1. POLICY STATEMENT**

This procedure outlines the eligibility conditions and process for referring younger people in hospital for comprehensive assessment by an Aged Care Assessment Team (ACAT), in accordance with the Australian Government Principles and Guidelines For a Younger Person's Access to Commonwealth Funded Aged Care Services, February 2022 ([The Principles](#)), and the [Australian Government Younger Persons in Residential Aged Care \(YPIRAC\) Strategy 2020-25](#).

2. BACKGROUND

The YPIRAC Strategy covers all younger people under 65 years who are living in or at risk of entering residential aged care, and provides choice to Aboriginal and/or Torres Strait Islander people between 50 and 64 years of age who are eligible for the aged care system.

The YPIRAC Strategy Action Plan sets targets for eliminating the flow of younger persons into residential aged care facilities and the transition of existing younger persons in residential aged care to alternative accommodation by 2025. The targets, apart from exceptional circumstances, seek to ensure there are:

- No people under the age of 65 entering residential aged care by 2022
- No people under the age of 45 living in residential aged care by 2022
- No people under the age of 65 living in residential aged care by 2025

Achieving the YPIRAC Action Plan requires collaborative engagement from relevant stakeholders, including younger people, their families and carers; the Australian and state and territory governments; housing, health, aged care and disability systems and specialist disability accommodation (*Younger Persons in Residential Aged Care Strategy, 2020-25*).

The Australian Government released [The Principles](#) in March 2022 with updated information to guide ACAT staff in determining eligibility for approval of younger people to access Commonwealth funded services and accommodation in the aged care system. The Principles have replaced the Australian Government Aged Care Assessment of Younger People Supplementary Guidelines, January 2020 (The Guidelines).

The National Disability Insurance Scheme (NDIS) Act:

- Prevents a person from becoming a NDIS participant after age 65 years
- Allows an existing NDIS participant under 65 years to remain in the NDIS if they subsequently turn 65
- Requires that NDIS participants whose first permanent entry to residential care or home care (but not residential respite care) is after the age of 65, cease to be an NDIS participant. (NDIS Act Section 29 (1) (b). This does not apply to the Commonwealth Home Support Programme (CHSP).

[The Principles](#) require that where NDIS participants who have turned 65 request access to CHSP, aged care assessors must ensure a person is not referred for services they are already receiving through the NDIS and/or other Commonwealth, state, territory or local government programs. Younger people and assessors are also required to test eligibility for other programs, to ensure they access the most appropriate program(s).

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3. DEFINITIONS:

Younger Person:

A younger person is generally considered to be under the age of 65 years, or under 50 for Aboriginal and Torres Strait Islander people.

National Disability Insurance Scheme (NDIS):

The NDIS provides support for people with disability, their families and carers in Australia. The NDIS will provide all Australian permanent residents under the age of 65, who have a permanent and significant disability, with the reasonable and necessary supports they need to live an ordinary life.

National Disability Insurance Agency (NDIA):

The NDIA is an independent statutory agency with responsibility for implementing the National Disability Insurance Scheme (NDIS).

Aged Care Assessment Program (ACAP):

The Commonwealth government fund the States and Territories to administer the Aged Care Assessment Program. Assessments under the program are conducted by Aged Care Assessment Teams (ACATs).

Aged Care Assessment Teams (ACATs)

ACATs provide a nationally consistent comprehensive aged care assessment to determine eligibility for care types under the Aged Care Act 1997. Where a care type under the Aged Care Act 1997 is identified as the most appropriate type of support to meet a client's needs, and the client meets the eligibility criteria, ACAT will make a recommendation for approval. A client may be approved for a Home Care Package, Residential Care, Residential Respite Care or Flexible Care (Transition Care Program or Short-Term Restorative Care).

Ability First Australia (AFA)

AFA provide the Younger People in Residential Aged Care (YPIRAC) System Coordinator Program. AFA support younger people who are not NDIS participants to navigate the disability, health and housing systems to access accommodation and services outside residential aged care.

4. RESPONSIBILITIES

4.1 Hospital Referrers of Younger People will:

- Note the eligibility conditions and relevant referral pathways for the aged care assessment of younger people in hospital.
- Follow the referral processes outlined in this procedure
- Seek additional advice where required from the District ACAP Manager or Manager Aged Care Strategy, Population and Community Health or Manager Disability Strategy Unit.

4.2 Line Managers will:

Implement strategies to ensure that staff are aware of this procedure and comply with the referral processes and referral eligibility conditions.

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4.3 District Managers/ Service Managers will:

Provide overall governance for compliance with referral processes identified in this procedure.

5. PROCEDURE

5.1 Eligibility Conditions for Aged Care Assessment of Younger People

[The Principles](#) require younger people to meet the eligibility requirements of the Aged Care Act (1997) including the Approval of Care Recipients Principles 2014 to access aged care services. The following conditions apply:

- All options for age-appropriate accommodation and supports have been explored with documented evidence to support this.
- Aged Care should only be used as a last resort for younger people
- No younger person (*under 65 years or under 50 years for Aboriginal people*) should be admitted to permanent residential aged care unless compelling exceptional circumstances can be established (refer to Section 5.3).

For existing NDIS participants:

- The National Disability Insurance Agency (NDIA) planning team and NDIS providers will assist the younger person to explore alternative options.

For non NDIS eligible younger people (or for those yet to test NDIS eligibility):

- The Ability First Australia (AFA) System Coordinators Program has been established by the Australian Government to support the younger person to explore alternative options including testing their NDIS eligibility where appropriate.

A younger person must seek support from AFA or the NDIA (*for existing NDIS participants*), to explore alternative options before a referral is made for an ACAT assessment.

A younger person cannot be assessed by an ACAT unless it has been identified by NDIA or AFA that no alternative age-appropriate accommodation settings or supports are available outside the aged care system.

Staff should also note that an aged care service provider ultimately has the right to determine whether they will accept a younger person with disability to their service, based on their capacity to meet their individual needs.

5.2 Referral Pathways for Younger People in Hospital seeking services or accommodation

Under revised arrangements outlined in [The Principles](#):

- ACATs are no longer permitted to self-refer or accept direct referrals for younger persons in hospital or in the community
- All referrals for younger people seeking services or accommodation must be directed to My Aged Care via:
 - Phone 1800 200 422
 - *or*
 - website www.myagedcare.gov.au
- My Aged Care will then direct the referral to either:
 - The NDIA (for NDIS participants)

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- AFA (for non-NDIS participants, or people yet to test NDIS eligibility)
- A younger person must seek support from AFA or the NDIA (*for existing NDIS participants*), to explore alternative options before ACAT are involved

For people under 50 years seeking permanent residential care with no suitable alternative options identified by AFA/NDIS:

- An informal case conference will be held by the Joint Agency Taskforce (JATF) to explore any further options
- Feedback will be provided to ACAT assessor to inform their assessment

Refer to [Appendix 1](#) for Referral Pathway Flowchart

5.3 Younger People with Exceptional Circumstances

The 'urgent circumstances' pathway previously defined for younger people in The Guidelines has now been decommissioned.

[The Principles](#) outline limited circumstances where permanent residential care may be provided under the exceptional circumstances provisions including the following:

- Aboriginal or Torres Strait Islander people aged 50-64 years
- A person who is prematurely aged due to chronic homelessness aged 50-64, or 45 years and over for Aboriginal and Torres Strait Islander people
- Maintaining family connection reasons (such as a person who has been cared for by ageing parents or guardians who are now moving into aged care)
- Where a younger person (including an NDIS participant) requires urgent short-term care unable to be met by other service providers and the person is considered at significant risk of harm, they may be assessed for respite care without completing the NDIS access test or fully exploring alternative accommodation options.

Exceptional circumstances will be determined by ACAT in discussion with AFA staff and NDIS Planners.

Even in the above exceptional circumstances, other services apart from permanent residential care may be more appropriate to meet the younger person's needs. Potential alternative options should be explored prior to an aged care assessment and should be discussed with the younger person by the AFA system coordinator or the NDIA planner.

It should also be noted that from 1 December 2021, NDIS participants can only receive permanent residential aged care supports from a provider that is registered with the NDIS Commission.

6. DOCUMENTATION

AFA or NDIA Referrers to ACAT:

Any ACAT referrals for younger people must come directly from AFA system co-ordinators or NDIA planners who will complete an assessment summary template addressing the younger persons eligibility criteria outlined in the Principles to support the request for an ACAT assessment.

ACAT Staff:

Following review of the referral documents, ACAT staff are required to complete the *Request for Aged Care Assessment of a Younger Person Check Form*.

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As part of NSW Health ACAP Funding Agreement requirements, NSW ACATs will be audited on all aged care assessments and care approvals of younger persons.

The SESLHD District ACAP Manager and Manager Aged Care Strategy, Population and Community Health will assess compliance with this procedure for all younger person referrals to SESLHD ACAP.

Feedback and guidance will be provided to referrers as required by the District ACAP Manager, Manager Aged Care Strategy, Population and Community Health or the Manager Disability Strategy Unit.

8. REFERENCES

- [Australian Government Younger Persons in Residential Aged Care \(YPIRAC\) Strategy 2020-25](#)
- [Principles and Guidelines For a Younger Person's Access to Commonwealth Funded Aged Care Services, February 2022](#)
- The National Disability Insurance Scheme Act 2013
- The Aged Care Act (1997)
- [Ability First Australia YPIRAC Systems Coordinator Program](#)
- [The Australian Government Department of Health, My Aged Care Assessment Manual, V3.1 December 2021](#)
- NSW Ministry of Health Aged Care Assessment Standard Operating Procedures, 2018
- [Access to the NDIS Operational Guideline](#)

9. REVISION AND APPROVAL HISTORY

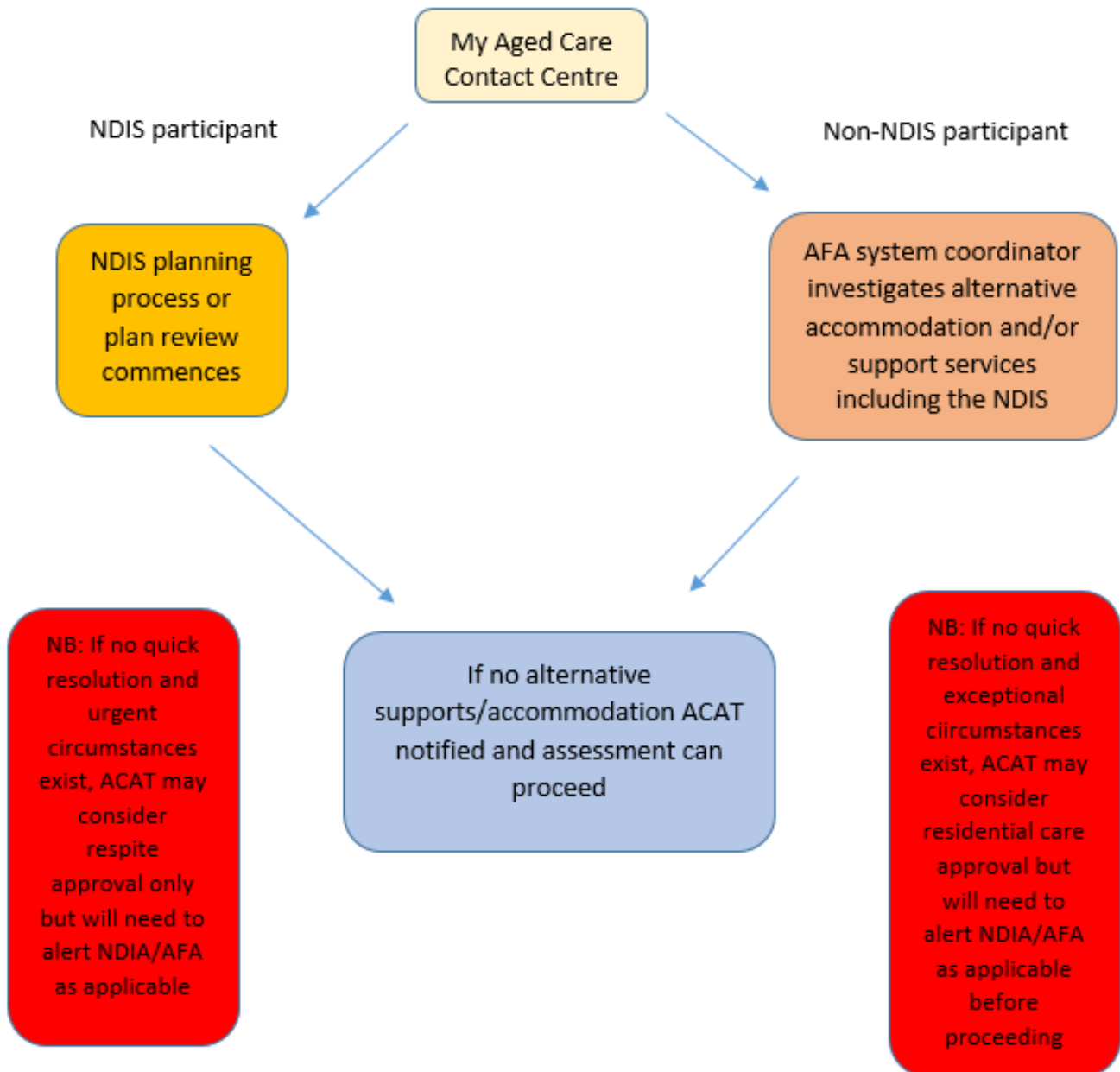
Date	Revision No.	Author and Approval
December 2020	DRAFT	Katherine Clinch, Manager Aged Care Strategy, Population and Community Health
August 2022	DRAFT	Katherine Clinch, Manager Aged Care Strategy, Population and Community Health
October 2022	DRAFT	Draft for comments period. Final version approved by Executive Sponsor.
December 2022	1	Approved by SESLHD Clinical and Quality Council.

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Appendix 1: Referral Pathway Flowchart

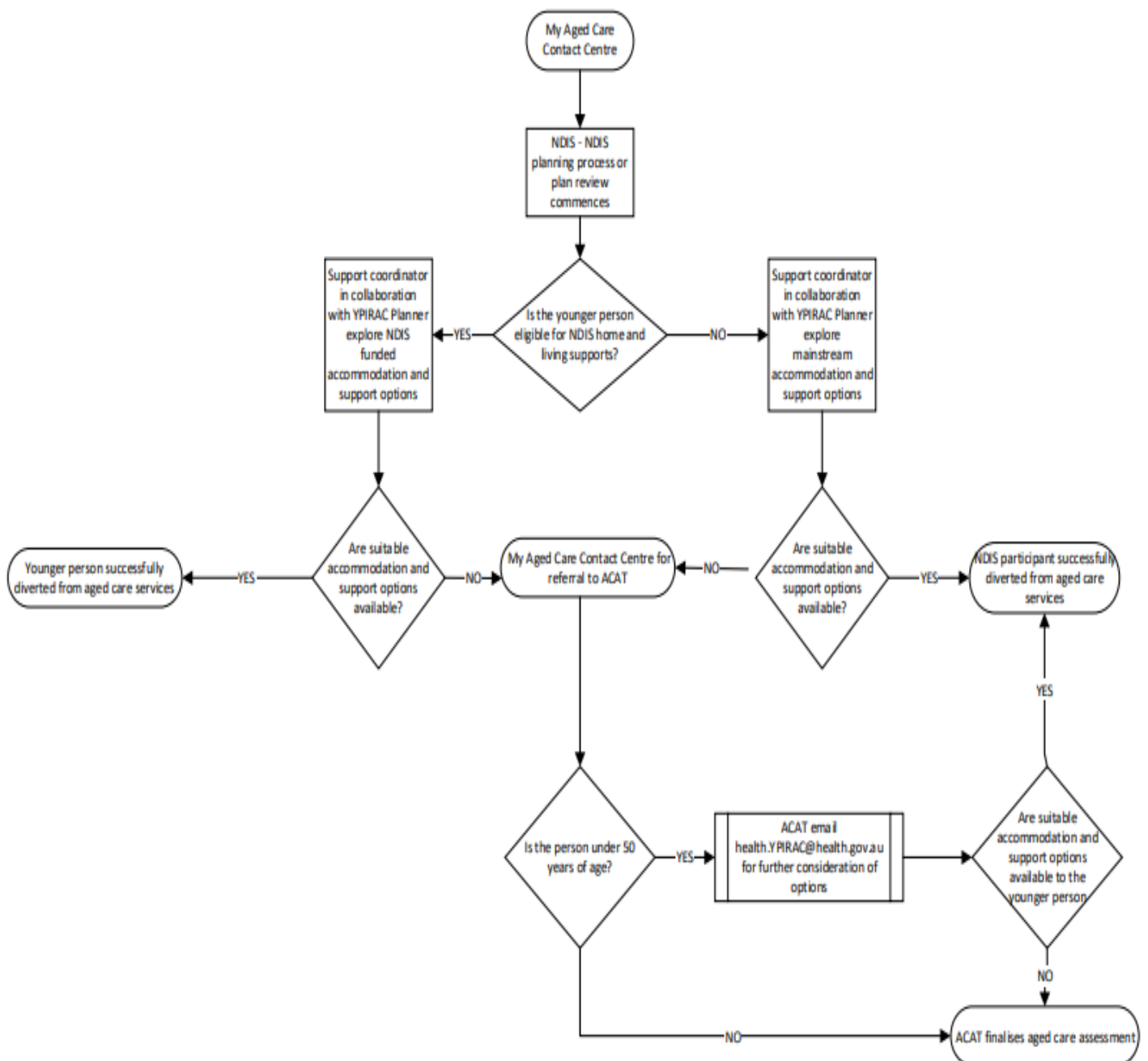


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Appendix 2: Pathway for an existing NDIS Participant Younger Person



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Appendix 3: Pathway for non NDIS Participant Younger Person

