

Australian Capital Territory

# Lifetime Care and Support (Catastrophic Injuries) Guidelines 2014 (No 17)

Disallowable instrument DI2014–218

made under the

Lifetime Care and Support (Catastrophic Injuries) Act 2014, section 93 (Making of Guidelines)

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## 1 Name of instrument

This instrument is the *Lifetime Care and Support (Catastrophic Injuries) Guidelines 2014 (No 17)*.

## 2 Delegation

In the LTCS Guidelines any reference to the LTCS Commissioner includes any delegate of the LTCS Commissioner.

## 3 Commencement

This instrument commences on the day after its notification.

## 4 Guidelines

The Guidelines at Schedule 1 are Part 17 of the LTCS Guidelines made under section 93 of the *Lifetime Care and Support (Catastrophic Injuries) Act 2014*.

Karen Doran

Lifetime Care and Support Commissioner of the Australian Capital Territory

7 July 2014

# PART 17 - Approved Providers of Attendant Care Services

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This part of the Lifetime Care and Support Guidelines is issued under the *Lifetime Care and Support (Catastrophic Injuries) Act 2014* (LTCS Act), including section 32 of that Act.

## 1. Approved providers of attendant care services

- 1.1. Services provided to participants in connection with their treatment and care needs for attendant care services must be provided only by approved providers. The LTCS Commissioner will not pay expenses of attendant care services provided by persons who are not approved providers.
- 1.2. The LTCS Commissioner may advertise at regular intervals for applications from attendant care providers who seek approval as an attendant care provider for the LTCS Scheme. Attendant care providers must meet the criteria prescribed by the LTCS Commissioner for appointment.
- 1.3. The LTCS Commissioner will generally require that an approved attendant care provider hold the Attendant Care Industry Association's endorsed certification to the Attendant Care Industry Management System Standard (ACIMSS).
- 1.4. A participant may choose an approved attendant care provider from the LTCS Commissioner's list of approved attendant care providers.

## 2. Special circumstances

- 2.1. In special circumstances, the LTCS Commissioner may approve, in writing, a suitable person or organisation to provide attendant care services to a participant for a limited time.
- 2.2. Those special circumstances may include (but are not limited to) geographic isolation and cultural or religious reasons.
- 2.3. The LTCS Commissioner will consider whether any special circumstances exist on a case-by-case basis. It should not be assumed that an application for approval under this Part will necessarily be approved merely because it relates to a circumstance of the type referred to in paragraph 2.2.
- 2.4. In such cases, the LTCS Commissioner requires a written application from the person or organisation seeking approval, which must include:
  - their suitability to provide attendant care services to the participant;
  - the circumstances said to justify approval of that person or organisation to provide attendant care to the participant;
  - the participant's agreement to the proposed provider; and
  - any such other information as the LTCS Commissioner may reasonably request.

- 2.5. If granted, the LTCS Commissioner's written approval of an individual or organisation will set out the duration of the approval. The LTCS Commissioner will not pay expenses for attendant care services delivered before a provider has obtained written approval.

### **3. Fees**

- 3.1. The fees for attendant care services payable by the LTCS Commissioner for attendant care are those specified in the LTCS Commissioner's current Fee Schedule for approved attendant care providers or, if no Schedule is available, fees will be determined in accordance with ACT procurement requirements. The LTCS Commissioner will review the Fee Schedule at regular intervals.
- 3.2. In the exceptional circumstance that the LTCS Commissioner approves attendant care to be delivered by other approved individuals or organisations for a participant, payment will be made according to the rates of payment set out in the letter of approval from the LTCS Commissioner.
- 3.3. The LTCS Commissioner will not pay expenses incurred by or on behalf of a participant when attendant care services are delivered by a provider who is not approved in writing by the LTCS Commissioner.