Letter to the Minister for Ageing

The Hon Justine Elliot MP
Minister for Aging
PO Box 6022
House of Representatives
Parliament House
Canberra, ACT 2006

March 4th 2008

Dear Minister,

Aged Care Approved Provider Regulations

I refer to my letter to you dated December 11th 2007, the reply by Ms Allison Rosevear on your behalf dated January 22nd 2008 and my request to her, dated February 4th 2008 for a more specific commitment to address some regulatory deficiencies that place citizens at risk..

For nearly 6 months I have sought confirmation that changes to legislation, promised by ministers following the DCA debacle in 2006, had not been made, and that BUPA was consequently not required to seek approved provider status when it bought into nursing homes in Australia in 2007.   The Department of Health and ageing finally confirmed this on 20th February 2008 stating

> ""As you are aware, an organization which acquires a controlling or significant interest in an organization that already has Approved Provider status is not required under the *Aged Care Act 1997* to apply for Approved Provider status. BUPA, therefore was not required to seek approval from the Department of Health and Ageing"

This is a glaring loophole in the regulations and places frail and vulnerable citizens at risk of exploitation by unscrupulous commercially focussed entities with little knowledge of the requirements of the frail aged or interest in anything other than the potential profitability of the sector.

This matter has not yet gone fully into the public arena but clearly this will now happen. Community groups will mobilise to press for change. If, however,   the government already plans to make changes then this would be counterproductive and wasteful of time and effort.

I therefore write for the fourth time to ask whether the labour government plans to address this glaring regulatory deficiency, and if so, some indication as to when this will happen.

Yours sincerely,

J Michael Wynne