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Office of the President

16 December 2021

Our ref: [BT-EL/H&D]

Committee Secretary
Health and Environment Committee
Parliament House
George Street
Brisbane Qld 4000

By email: hec@parliament.qld.gov.au

Dear Committee Secretary

Inquiry into the provision of primary, allied and private health care, aged care and NDIS care services and its impact on the Queensland public health system

Thank you for the opportunity to provide feedback on the inquiry into the provision of primary, allied and private health care, aged care and NDIS care services and its impact on the Queensland public health system.

We would like to raise a discrete issue for the Committee's consideration, being concerns of our members relating to the ACAT assessment process for people who are admitted to hospital at the time they undergo an ACAT assessment.

We have recently written to the Queensland Health Minister outlining our concerns about the ACAT assessment process, and we **enclose** a copy of that correspondence.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Legal Policy team via [REDACTED] or by phone on [REDACTED].

Yours faithfully

A handwritten signature in blue ink, appearing to read "Elizabeth Shearer".

Elizabeth Shearer
President



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6 December 2021

Our ref: BT/H&D

The Hon Yvette D'Ath
Minister for Health and Ambulance Services
GPO Box 48
BRISBANE QLD 4001

By email: health@ministerial.qld.gov.au

Dear Minister

Aged Care Assessment Team (ACAT) Assessments

The Queensland Law Society (QLS) is the peak professional body for the State's legal practitioners. We represent and promote over 13,000 legal professionals, increase community understanding of the law, help protect the rights of individuals and advise the community about the many benefits solicitors can provide. QLS also assists the public by advising government on improvements to laws affecting Queenslanders and working to improve their access to the law.

This correspondence has been compiled by the QLS Health & Disability Law and Elder Law Committees, whose members have substantial expertise in this area.

Some of our members have raised concerns relating to the ACAT assessment process for people who are admitted to hospital at the time they undergo an ACAT assessment. Our members report that the ACAT will only assess a person for home supports if the assessment is conducted in the person's home, and that there is often limited flexibility for a person to be released from hospital to undergo an ACAT assessment in their own home, even where that is the person's preference. This results in the unintended consequence of older people in hospitals being assessed only for residential aged care options, where they might otherwise be eligible for home supports.

While ACAT is funded by the Federal Government, it is delivered by the States and Territories, and assessments are conducted by employees of the States and Territories. It is also the individual hospital who decides whether to discharge or release a patient from hospital for the purpose of an ACAT assessment.

QLS is seeking further information about whether the person's preference as to their living arrangements is recorded in the ACAT assessment and whether, if the person is assessed in a hospital setting but indicates their preference is to receive home supports, that preference is meaningfully explored.

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Yours faithfully

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Elizabeth Shearer
President