1603

2022

The Parliament of the

Commonwealth of Australia

THE SENATE

Aged Care and Other Legislation Amendment (Royal Commission Response) Bill 2022

(Amendments to be moved by Senator Roberts, on behalf of Pauline Hanson’s One Nation, in committee of the whole)

(1) Clause 2, page 3 (at the end of the table), add:

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| 12. Schedule 10 | 1 February 2023. | 1 February 2023 |

[commencement—registered nurses]

(2) Page 141 (after line 11), at the end of the Bill, add:

Schedule 10—Registered nurses

Aged Care Act 1997

1 After paragraph 54‑1(1)(b)

Insert:

 (ba) if the type of aged care is residential care or flexible care provided in a residential setting—to ensure at least one registered nurse is on duty at all times in a residential facility to:

 (i) provide care to care recipients; and

 (ii) supervise the provision of care to care recipients;

2 At the end of section 54‑1

 (3) In this section:

***registered nurse*** means a person who is registered in the nursing profession as a registered nurse under:

 (a) for a State or Territory (other than Western Australia)—the Health Practitioner Regulation National Law set out in the Schedule to the *Health Practitioner Regulation National Law Act 2009* (Qld), as it applies (with or without modification) as a law of the State or Territory; or

 (b) for Western Australia—the *Health Practitioner Regulation National Law Act 2010* (WA), so far as that Act corresponds to the Health Practitioner Regulation National Law set out in the Schedule to the *Health Practitioner Regulation National Law Act 2009* (Qld).

3 After section 54‑1

Insert:

54‑1A Exemption—small, rural and remote communities

 (1) The \*Quality and Safety Commissioner may, by written notice, grant an approved provider in a small, rural or remote community an exemption from the responsibility under paragraph 54‑1(1)(ba) if the Quality and Safety Commissioner is satisfied that the approved provider:

 (a) has made a genuine attempt to employ, hire, retain or contract a \*staff member who is a registered nurse; and

 (b) is unable to employ, hire, retain or contract a staff member who is a registered nurse.

 (2) The approved provider must provide evidence of paragraphs (1)(a) and (b) to the \*Quality and Safety Commissioner.

 (3) An exemption under subsection (1) remains in force for 12 months after it is granted.

[registered nurses]