

fact sheet

Closure of a residential aged care facility

Can a Residential Aged Care Facility ask me to leave?

If a Residential Aged Care Facility is closing, they are allowed to ask you to move to a new facility. This information will be set out in the Resident Agreement that was signed when you entered the facility.

This is also in the permissible reasons to ask a resident to leave a facility set out by the Department of Health & Aged Care.

What obligations does a Residential Aged Care Facility asking me to leave have?

A Residential Aged Care Facility is required to give you written notice of their decision to ask you to leave, which includes the following information:

- A statement of the decision.
- Reasons for the decision.
- A date when you are required to leave.
- Your rights about leaving.
- Access to Complaints and Advocacy.

A Residential Aged Care Facility is required to find suitable replacement accommodation that meets your long-term needs and is affordable to you prior to asking them to leave.

Will I get the money I have paid to a Residential Aged Care Facility back?

If you have paid a Refundable Accommodation Deposit or Refundable Accommodation Contribution to the Residential Aged Care Facility, you will receive this balance back in full, minus any deductions that you have agreed to whilst living in the facility. Deductions can include a Daily Accommodation Payment if you have paid a partial Refundable Accommodation Deposit, or other fees agreed to such as Means Tested Care Fees or Extra Services Fees etc.

If you pay your accommodation fees via Daily Accommodation Payments or Daily Accommodation Contributions, this is non-refundable so will not be returned to you.

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When do I get the money returned to me?

Residential Aged Care Facilities are required to refund your Refundable Accommodation Deposit or Refundable Accommodation Contribution to you on the day you leave the facility if you have given 14 days' notice.

If you have not given 14 days' notice, Residential Aged Care Facilities are required to refund the balance within 14 days of you leaving the facility.

Will my fees at the new facility be the same?

Some of the fees may differ when you move to a new facility, and some will stay the same.

The compulsory Basic Daily Fee will remain the same. If you pay a Means Tested Care Fee, this will also remain the same unless otherwise advised by Services Australia.

If you choose to pay a Refundable Accommodation Deposit to your new facility, this may differ based on the agreed price of the new room you are moving into.

If you are paying a Daily Accommodation Payment or part thereof, this may differ in a new facility based on the Maximum Permissible Interest Rate (MPIR) that is used to calculate the Daily Accommodation Payment based on the agreed room price. The MPIR can change bi-annually and may be higher or lower than when you entered your current facility. The most current MPIR will be applied to your Daily Accommodation Payment at the time that you enter the new facility.

Extra or Additional Services may also differ in a new facility depending on the services they offer, which are outlined in a Residents Agreement.

What if I am on a pension?

If you are receiving government assistance to pay for your accommodation costs either in part or in full, this will remain the same when you move to a new facility and you will continue to pay the same contribution.

If the new facility has Extra or Additional Services fees that differ to your existing facility, it is important to ensure you have the financial means to pay this prior to agreeing to move in if you intend on using the services, as there is no government assistance available to pay for Extra or Additional Services.

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What if another facility is too expensive?

Your existing Residential Aged Care Facility will work alongside you to find another facility that is affordable to you.

If you are in financial hardship, you can apply for Financial Hardship Assistance to Services Australia, or your Residential Aged Care Facility can apply on your behalf. Financial Hardship Assistance may be available to help pay for the Basic Daily Fee, Means Tested Care Fee and Daily Accommodation Payments.

Do I have the choice of where I move to?

Yes. You have the right to choose where you move to based on the availability, affordability and location of suitable replacement options for accommodation.

Do I need to sign a new agreement with a new Residential Aged Care Facility?

You will be asked to sign a new agreement with a new facility when you move in, in the same way your existing facility asked you to do so when you first entered. The new agreement will set out the payable fees agreed on.

Do I have to wait until the closure date of a Residential Aged Care Facility to move out, or do I have the choice when to leave?

You have the choice to leave and move to a new facility at any time before the closure date that your existing facility has advised you. You should advise your current facility as soon as possible of your intention to leave.

If you have any more questions contact us on 08 9479 7566 or free call 1800 655 566.

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