

What happens when your aged care home closes?

The closure of an aged care home can present issues that may be difficult and unsettling for residents and family members.

This fact sheet may help you understand your rights as a resident when leaving the aged care home and the options that are available to you.

Q: What must the provider do when the aged care home is closing?

The provider must give you a written notice that includes the following information:

- The decision and the reasons for the decision
- The date on which you are to leave. The provider must give you at least 14 days notice to leave
- Your rights about leaving, including the right to access:
 - Providers internal complaints mechanism
 - Aged Care Quality and Safety Commission: 1800 951 822
 - Advocacy services (Aged Rights Advocacy Service): 1800 700 600.

Q: Can the provider make me leave before I have somewhere else to go?

No, you can't be forced to leave until you find suitable, affordable alternate accommodation that meets your long-term care needs.

Q: Can the provider ask me to move to another room within my current aged care home?

The provider must not move you to another room, or part of a room, unless:

- the move is at your request; or
- you agree to the move after being fully consulted and without being subjected to any pressure; or
- the move is necessary on genuine medical grounds.

Q: What will happen to my accommodation bond/payment?

If you have found suitable accommodation, you can transfer your bond to your new aged care home. If you leave and are not seeking another suitable aged care home, your provider must refund the accommodation bond on or within 14 days' of the provider ceasing to provide care, less any amounts agreed to be deducted. Any deductions, such as extra services or care fees, must first have been agreed with you in writing and listed in the resident or accommodation agreement.

Q: What if a new owner takes over the aged care home?

If a new owner takes over the aged care home, the new owner takes on all the responsibilities of the previous owner. The aged care home does not become a "new service" and should not ask you to sign a new agreement. You have all the rights of security of tenure that you had under the previous owner.

Q: Will the provider support me to find another aged care home?

Yes, the provider will assist you with finding alternative suitable and affordable accommodation.

If suitable accommodation has not been found within the 14 days notice period, the provider cannot take action to make you leave, or imply that you must leave, until you do find such alternative accommodation.

Q: Will I be asked to sign anything if I move to a new aged care home?

Yes. If you move to a new aged care home, you will be offered a new resident agreement. You may also have an accommodation and extra services agreement, depending on your circumstances. The resident agreement will set out the care and services that will be provided to you and how much it will cost.

You can choose to sign or not sign the agreement. If you decide not to sign it, make sure you keep a record of your decision to agree. Once the resident agreement is agreed to, you then have 14 days to withdraw in writing from the agreement, at which time the agreement has no effect. The provider should give you a copy of the agreement before or within 28 days of you moving into the new aged care home.

Q: Do the same care and accommodation standards apply if I move to another aged care home?

Yes, if it is a Commonwealth funded aged care home. The care and accommodation standards are set by the Commonwealth Government and apply to the care and accommodation of all residents who live in any Commonwealth funded aged care home.

Q: What if I want to move back home?

It is possible to move back home. To ensure your care and support needs are met, you will need to have an Aged Care Assessment (ACAT) to obtain a Home Care Package (HCP). There will be waiting periods for your HCP to consider in your decision. It is important to discuss your care and support needs with your family and support network, as moving back home may also require home modifications and equipment to ensure your home is set up to accommodate your care needs in a safe way.

Contact us

For more information or support, please contact ARAS:

Office hours Mon-Fri, 9am to 5pm

Tel (08) 8232 5377 | Aged Care Advocacy Line 1800 700 600 (toll free)

Email: aras@agedrights.asn.au | www.sa.agedrights.asn.au

TTY 13 36 77 | SSR 1300 555 727

Independent interpreters may be available by appointment free of charge.

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