

Australian Capital Territory

Lifetime Care and Support (Catastrophic Injuries) Guidelines 2014 (No 10)

Disallowable instrument DI2014–211

made under the

Lifetime Care and Support (Catastrophic Injuries) Act 2014, section 93 (Making of Guidelines)

1 Name of instrument

This instrument is the *Lifetime Care and Support (Catastrophic Injuries) Guidelines 2014 (No 10)*.

2 Delegation

In the LTCS Guidelines any reference to the LTCS Commissioner includes any delegate of the LTCS Commissioner.

3 Commencement

This instrument commences on the day after its notification.

4 Guidelines

The Guidelines at Schedule 1 are Part 10 of the LTCS Guidelines made under section 93 of the *Lifetime Care and Support (Catastrophic Injuries) Act 2014*.

Karen Doran

Lifetime Care and Support Commissioner of the Australian Capital Territory

3 July 2014

PART 10 - Respite

This part of the Lifetime Care and Support Guidelines is issued under section 93 of the *Lifetime Care and Support (Catastrophic Injuries) Act 2014* (LTCS Act).

To avoid requirements that might be unreasonable in the circumstances on any participant, the LTCS Commissioner may waive observance of any part or parts of these LTCS Guidelines.

1. Policy

Respite aims to support and enhance the sustainability of the family unit. The LTCS Commissioner will fund the reasonable and necessary cost of respite where it can be demonstrated that respite will enhance the functioning of the family unit and enhance sustainability of the regular care or support routine. Respite is intended to facilitate the primary informal support relationship between the family or carer and the participant.

All respite is subject to prior written approval by the LTCS Commissioner.

2. Amount of respite

The amount of respite to be provided is to be determined after considering each of the following criteria:

- the ongoing support needs of the participant;
- the amount of respite requested, in relation to the ongoing support needs of the participant;
- the care and support provided by family; and
- normal parental responsibilities, in the case of parents of a participant who is a child.

Respite services may be provided to a participant who receives other support services, such as attendant care. If regular respite services are requested to undertake a particular task, then the LTCS Commissioner may review the participant's support needs as an alternative to funding respite services.

The LTCS Commissioner will not fund:

- respite services in relation to circumstances that existed before a motor accident or that are not a result of a motor accident; or
- additional costs incurred as a result of the participant, family or carer choosing a respite service option which offers a higher level of support than is required to meet the participant's needs. For example, the LTCS Commissioner will not fund the extra cost where a participant does not require nursing care and the family choose this option. Similarly, the LTCS Commissioner will not fund the cost of a high level support facility, if a participant's needs can be met in a low level support facility.