

## **Public statement – advocacy and aged care reform**

The Older Persons Advocacy Network (OPAN) is the national peak body for individual aged care advocacy. As an independent organisation, we are committed to protecting and championing the rights of older people.

Our prime objective is to ensure older people are informed and supported to exercise their rights and make decisions about their care. We do this by providing free, confidential, independent and relatable information so that older people can understand their aged care rights and make informed choices. Through our network of member organisations, our independent, professional aged care advocates work directly with older people to stand up for their rights, explain their options, and support them to take action – always based on their decisions and direction.

This is the heart of the National Aged Care Advocacy Program (NACAP) – independent, rights-based advocacy that puts older people first.

That's no small task in a sector undergoing such rapid and ambitious reform. The nearly 250 aged care advocates employed across our national 9-member network are doing much of the heavy lifting. In the last financial year, they delivered over 52,000 cases of information and advocacy support to older people, their families and supporters.

The quantitative and qualitative data our advocates collect enables OPAN to identify common systemic issues and emerging trends.

Our policy and systemic advocacy team shares this detailed and extensive feedback from older people with lived experience of the aged care system and our independent aged care advocates in a wide range of consultation forums, working groups and advisory committees with the aim of driving meaningful change. They collaborate with members of OPAN's National Older Persons Reference Group to include a diverse range of voices in face-to-face meetings, as well as regular submissions <https://opan.org.au/information/publications-and-reports/submissions/> (an average of one a month for the past 18 months, position statements <https://opan.org.au/information/publications-and-reports/submissions/> and reports <https://opan.org.au/information/publications-and-reports/submissions/>).

The feedback from individual advocacy cases is also documented in OPAN's annual National Aged Care Advocacy Program (NACAP) *Presenting Issues Report*, along with recommended solutions.

Reflecting OPAN's funding arrangements (95% individual advocacy/5% systemic advocacy), we believe providing free, independent and confidential support to older people seeking or receiving government-funded aged care is the most effective way of delivering on our core business – while pursuing our overarching vision of a society in which older people are heard, informed and respected and where they enjoy and exercise their human rights.

## **Supporting the new Aged Care Act**

The information provided by and to older people regarding the aged care system plays a vital role in the successful introduction of the new rights-based Aged Care Act on 1 November 2025.

OPAN, as an organisation that is committed to the rights of older people, supports the implementation of the new Act. We believe it will, over time, drive rights-based care and has the potential to deliver more high quality aged care services to older people and deliver more choice and control over their care.

OPAN also supports the implementation of the Act because we believe it has the potential to deliver faster services to the community. We are also keenly aware of its limitations – we hear the ongoing concerns the community is expressing.

When the Department of Health, Disability and Ageing sent out a letter on 22 May 2025 to prepare older people for the shift to Support at Home, for example, there was an 85 per cent spike in calls to OPAN members.

Additionally, OPAN has regular conversations with members of OPAN's National Older Persons Reference Group, some of whom have opposing views to OPAN in relation to the new Act. We don't stifle those voices and support expression of differing viewpoints. A diverse range of voices is represented in our regular reference group meetings, where the discussion is respectful but often robust.

## **Why the new Act matters**

The Aged Care Act was passed by a bipartisan agreement between the two major political parties. We know that it does not contain everything we advocated

for, however it is a positive start to drive change and we will continue to advocate for further changes.

OPAN's position remains that the new Aged Care Act must proceed this year. The legislation currently in place is not fit for purpose, does not ensure the rights and protection of older people, does not drive higher quality and safety, and does not provide better and more timely support in the home.

## **What OPAN is continuing to call for**

OPAN is calling for some key issues to be addressed prior to the Act's implementation, including:

### **1. Assessment and reassessment for services by the Single Assessment service**

OPAN remains concerned that the single assessment system remains congested and is not responding to assessment needs in a timely manner. We will continue to raise the need for transparency on assessment and reassessment wait times and an agile responsive approach.

### **2. Access and wait times**

We are deeply concerned by recent reports in the media that the current wait list for Home Care Packages has blown out to over 100,000. OPAN is doubling down on its call for a bare minimum of 20,000 bridging Home Care Packages to be released ahead of 1 November to ensure wait lists don't blow out any further.

### **3. Co-contributions for personal or respite care**

Older people should not have to pay fees for personal or respite care, as we clearly said in our submission during the development of the Aged Care Act.

### **4. Waiver of fees for pensioners and those with low means**

OPAN is not prepared to accept the current process and high threshold for waiving of co-payments. We will only be prepared to accept 'hardship' as the government's safety net process if there is a rapid, easier evidenced, streamlined process for the government's financial hardship arrangements as an interim measure for older people who can't afford to pay. We will be promoting the available hardship process, and the evidence requirements to support any application in the coming weeks, while we work towards a better approach

Within the next 12 months, we want to see the introduction of automatic assessment and approval measures for older people who clearly meet a 'limited means' criterion, such as someone on a full pension, living in a private rental and receiving Commonwealth Rental Assistance.

## **5. Taking rapid action on unintended consequences of the new Aged Care Act**

OPAN is committed to working with the government and other sector stakeholders to address issues and unintended consequences around the new Aged Care Act. These include service level reductions due to price increases, the impact of the cap of \$15,000 on home modifications and the lack of action on restrictive practices.

### **Next steps**

OPAN's Chief Executive Officer (CEO), Craig Gear, is an active member of the Aged Care Act Transition Taskforce and advocates strongly for better outcomes for older people. The CEO ensures that the concerns raised by advocates, older people receiving advocacy, and members of OPAN's reference group are heard and reflected in the transition process.

We will continue to regularly meet with the Department of Health, Disability and Ageing and government over the next four months to raise the concerns we hear from older people and independent aged care advocates ahead of the commencement of the new Aged Care Act. From October, OPAN will be increasing our communication with the department to fortnightly basis.

We are also committed to working with the Inspector-General of Aged Care and other peak bodies for older people and those who support them to further improve aged care for older people ahead of the legislated 3-year review of the Act, which was one of the OPAN's key recommendations.

**People may disagree with a position OPAN has come to, or the public advocacy stances we are taking, but we do expect the commentary to be respectful.**

**The community would expect that of us, and we expect that of the online community and public.**