

# Public Health Emergency Direction (Residential Aged Care Facilities)

## Information for Residential Aged Care Facilities in the ACT

From 5pm on Monday 23 March 2020, a new Public Health Emergency Direction will be in place in the ACT. This Direction is in place to implement new measures and restrictions necessary to protect the community from the spread of COVID-19.

This new Direction is in addition to three instruments which have already been signed by the Chief Health Officer under the Public Health Act 1997. They are the result of the updated measures being implemented across Australia, as announced by the Prime Minister.

### *What are the new restrictions on residential aged care facilities?*

From 5pm, Monday 23 March 2020, until the conclusion of the declared public health emergency (or unless earlier revoked) a person may not enter a residential aged care facility in the ACT unless:

- the person is an employee or contractor of the residential aged care facility; or
- the person's presence at the premises is for the purposes of providing goods or services that are necessary for the effective operation of the residential aged care facility, whether the goods or services are provided for consideration or on a voluntary basis; or
- the person's presence at the premises is for the purposes of providing health, medical or pharmaceutical goods or services to a resident of the residential aged care facility, whether the goods or services are provided for consideration or on a voluntary basis; or
- the person's presence at the premises is for the purposes of a **care and support visit** to a resident of the residential aged care facility on a particular day, and is the only care and support visit made to the resident on that day; or
- the person's presence at the premises is for the purposes of end of life support for a resident of the residential aged care facility; or
- the person's presence at the premises is required for the purposes of emergency management or law enforcement; or
- the person's presence at the premises is in the person's capacity as a prospective resident of the residential aged care facility.

The **operator** of a residential aged care facility in the Australian Capital Territory must take all reasonable steps to ensure that a person does not enter or remain on the premises of the residential aged care facility if the person is prohibited from doing so

## *Are there any restrictions on workers, contractors or other people?*

While the Public Health Emergency Direction is in effect, no person (other than a resident) is to enter a residential aged care premises in the ACT if:

- The person has arrived in Australia from overseas in the last 14 days; or
- The person has had contact with a person who has a confirmed case of COVID-19 in the last 14 days; or
- The person has a temperature higher than 37.5 degrees of symptoms of acute respiratory infection; or
- The person does not have an up to date vaccination against influenza, if such a vaccination is available to the person; or
- The person is aged under 16 years, other than in circumstances where the person's presence at the premises is for the purposes of end of life support for a resident of the residential aged care facility.

## *How should an operator manage care and support visits during this time?*

A care and support visit for a resident in residential aged care should be a visit of no longer than 2 hours made to the resident by one person, or two persons together, for the purposes of providing care and support to the resident. This should be in the resident's room and not in communal areas.

## *Am I still allowed to visit my family member who is a resident of an ACT Aged Care Facility?*

Yes. This would qualify under a care and support visit (Direction 1(d)) to a resident of the residential aged care facility on a particular day, and the visit is the only care and support visit made to the resident on that day.

However, the visit needs to take account of Direction No. 2, which outlines when a person is not to enter a facility. That is:

- a. during the 14 days immediately preceding the entry, the person arrived in Australia from a place outside Australia; or
- b. during the 14 days immediately preceding the entry, the person had known contact with a person who has a confirmed case of COVID-19; or
- c. the person has a temperature higher than 37.5 degrees or symptoms of acute respiratory infection; or
- d. the person does not have an up to date vaccination against influenza, if such a vaccination is available to the person; or
- e. the person is aged under 16 years, other than in circumstances where the person's presence at the premises is for the purposes of end of life support for a resident of the residential aged care facility.

## *Can a priest visit my family member who is resident of an ACT Aged Care Facility?*

Yes. Persons that provide spiritual guidance and leadership of any religious denomination would be covered by Directions 1(d) and 1(e).

- 1(d) The person's presence at the premises is for the purposes of a **care and support visit** to a resident of the residential aged care facility on a particular day, and is the only care and support visit made to the resident on that day.
- 1(e) the person's presence at the premises is for the purposes of end of life support for a resident of the residential aged care facility;

However, the visit needs to take account of Direction No. 2, which outlines when a person is not to enter a facility.

## *Can our family's solicitor attend in order to arrange a will and/or enduring Power of Attorney?*

Yes. This would again be covered by Directions 1(d) and 1(e).

- 1(d) The person's presence at the premises is for the purposes of a **care and support visit** to a resident of the residential aged care facility on a particular day, and is the only care and support visit made to the resident on that day.
- 1(e) the person's presence at the premises is for the purposes of end of life support for a resident of the residential aged care facility;

However, the visit needs to take account of Direction No. 2, which outlines when a person is not to enter a facility.

## *What are the penalties if I do not comply with these quarantine measures?*

Under the new Directions, a person must not, without reasonable excuse, fail to comply with a direction. If they do, penalties will apply.

Maximum penalty:

- In the case of a natural person, \$8,000 (50 penalty units)
- In the case of a body corporate, \$40,500 (50 penalty units)
- In the case of a utility that is a body corporate \$1,620,000 (2000 penalty units)

## *Where can I find more information?*

For further information about the Public Health Emergency Directions visit the [ACT Health COVID-19 webpage](#).

If you have more questions or need help while being quarantined at home, you can contact:

- National Coronavirus Health Information Line on 1800 020 080. This line operates 24 hours a day, 7 days a week.

### Accessibility

If you have difficulty reading a standard printed document and would like an alternative format, please phone 13 22 81.



If English is not your first language and you need the Translating and Interpreting Service (TIS), please call 13 14 50.

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