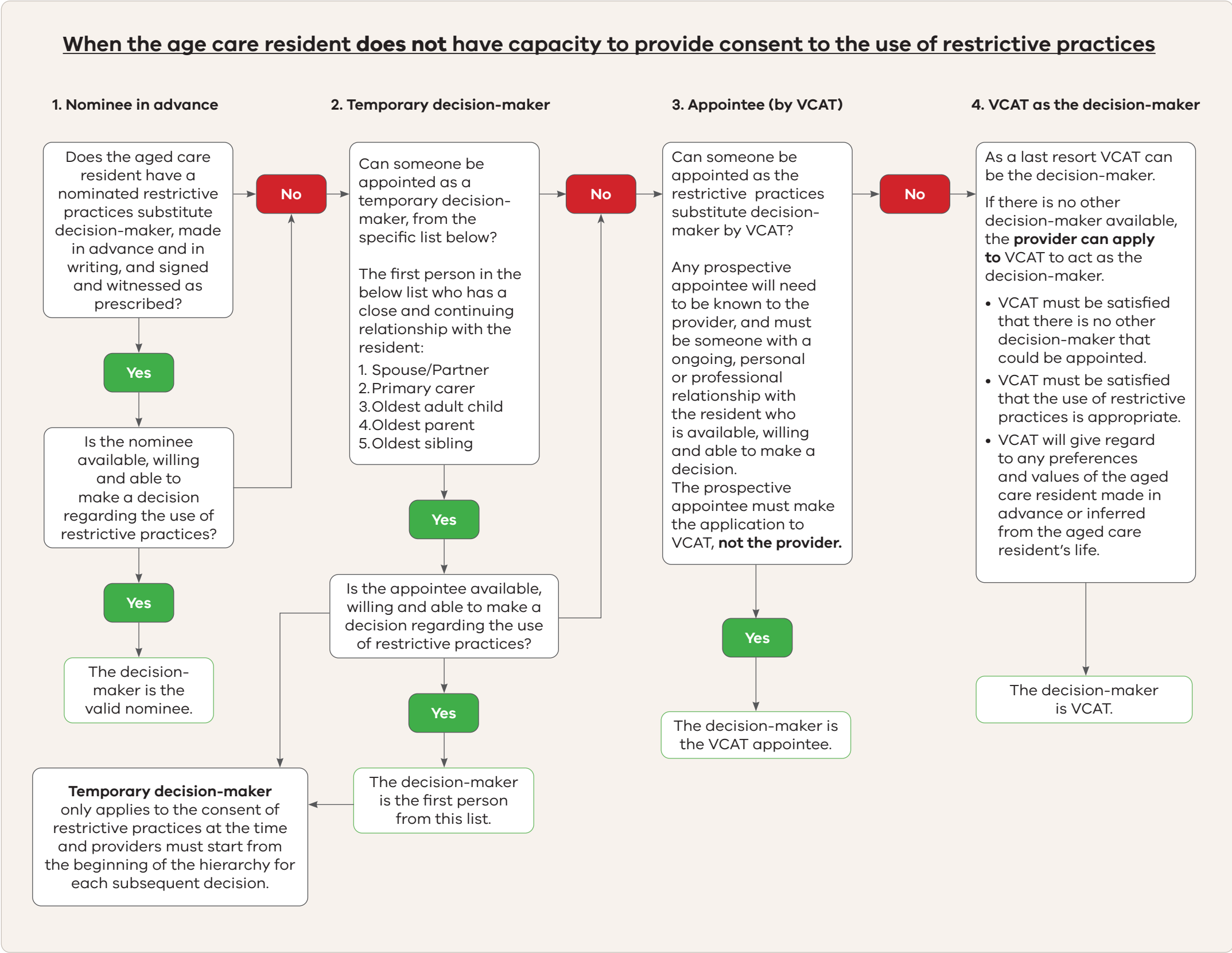
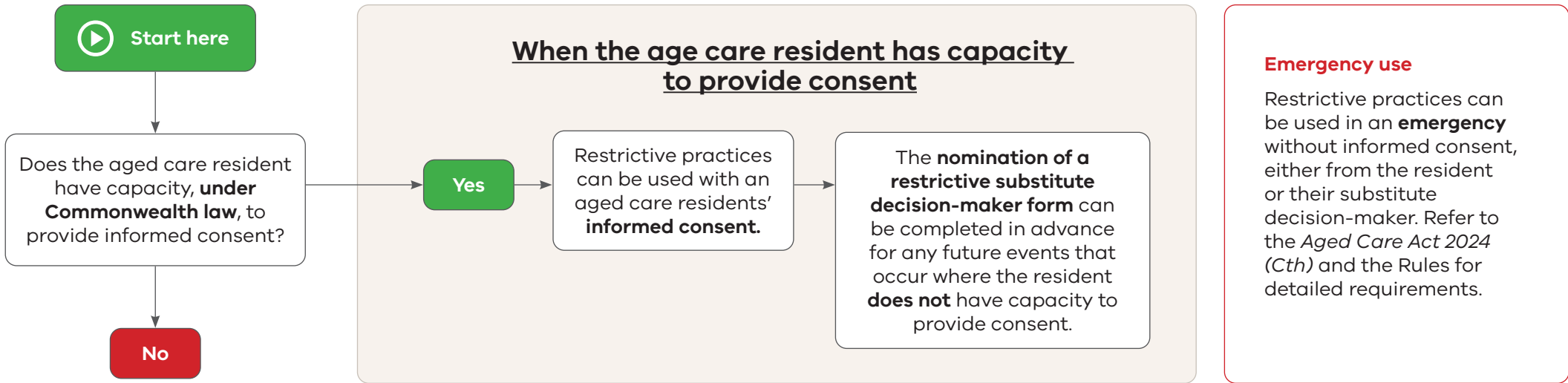


Identifying Substitute Decision-makers under the Aged Care Restrictive Practices Substitute Decision-maker Act 2024 (Vic)



When is a restrictive practices substitute decision-maker required?

- The aged care resident is a recipient of care under the *Aged Care Act 2024 (Cth)* and receives funded aged care services in an approved residential care home.
- A behaviour support plan (BSP) has been developed under the *Aged Care Act*, that identifies behavioural supports are required for the purposes of care.
- Restrictive practices as defined by the *Aged Care Act 2024 (Cth)* are identified and documented as necessary within the BSP.

Who can't be a substitute decision-maker?

- ✗ an employee or agent of the residential aged care provider
- ✗ someone under the age of 18
- ✗ someone involved in the preparation or implementation of the BSP
- ✗ someone convicted (other than a spent conviction) of committing a crime against the resident
- ✗ someone subject to a family violence intervention order concerning the aged care resident

Disputes

VCAT has jurisdiction to intervene around disputes and make orders concerning the appointment of substitute decision-makers under this Act