# Steps for making a proposed nominee arrangement under the new Aged Care Act

# Person receiving (or seeking to receive) aged care

Seeks to appoint a nominee



# Department Secretary or delegate (as System Governor)

Appoints the nominee



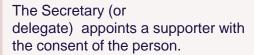
#### Nominee

Supports person receiving aged care



## Supporter

Request to the Secretary to appoint a support person (e.g., a family member or close friend) to help with navigating the aged care system. Can be for a specified term, limited to certain types of information, and can be cancelled or suspended at any time.



The supporter provides support and may seek or receive information on the person's behalf but does not make any decisions.

### Representative

The person may request a representative nominee to have the power to make decisions on their behalf (e.g. if they do not want to make a decision or if their capacity may decline later). Can be for a specified term, and can be cancelled or suspended at any time.

The Secretary (or delegate) appoints a representative nominee with the consent of the person.

The representative nominee can make aged care decisions, respecting the person's wishes and preferences.

Secretary may have regard to certain information to guide decision (e.g. any current guardianship arrangements)

In some cases, e.g., where the person lacks capacity to make decisions, the Secretary may appoint a representative nominee to make aged care decisions on the person's behalf without the person's consent.

The representative nominee can make aged care decisions, respecting the person's wishes and preferences.

The nominee's duties could include: ascertaining the wishes of the person; acting in a manner that promotes the person's personal and social wellbeing; maintaining the decision-making capacity of the person; avoiding/managing any conflicts of interest; and, complying with any other duties under the legislation.