

Australian Government
Carer and Disability Payments Branch
Department of Social Services
Email: disabilityandcarerpayments@dss.gov.au

To Whom It May Concern,

Re: Remaking of the Disability Care Load Assessment (Child) Determination 2020 - 25 June 2020

Thank you for providing the Australian College of Nursing (ACN) with the opportunity to review and comment on revisions to the Disability Care Load Assessment (Child) Determination (DCLAD 2020) (the instrument).

In providing the comments below, ACN notes that the instrument will sunset on 1 October 2020 and that the revisions are of a minor administrative nature in order to ensure that eligible carers continue to receive Carer Payment (CP) and Carer Allowance (CA) for children under 16 years of age. ACN also notes that the *Social Security (Treating Health Professionals) Determination 2010* is now incorporated into DCLAD 2020 for the purposes of ease of access and simplicity.

ACN is satisfied with the revisions to the instrument with two exceptions:

1. Part 2 Section 4 (a); Part 3 Section 17 (1); Part 3 Section 18 and Part 3 Section 18 (1) of DCLAD 2020 all refer to a “disabled child” or “disabled children”. ACN recommends that be changed to “children with a disability” or “children with disability” to reflect current respectful nomenclature. In making this recommendation we note that Part 2 Section 15 (1) and Part 2 Section 16 (1) of DCLAD 2020 do use the phrase “children with a disability”.
2. Part 2 Section 4, 9 (b) states that “a person registered or licensed as a nurse under a law of a State or Territory that provides for the registration or licensing of nurses”. [The Nursing and Midwifery Board of Australia](#) however, is responsible for the registration of nurses and the endorsement of Nurse Practitioners, some of whom work in the area of nursing care covered by DCLAD 2020. ACN therefore recommends changing the wording to “a person registered or licensed as a nurse by the Nursing and Midwifery Board of Australia that provides for the registration or licensing of nurses under the Australian Health Practitioner Regulation Agency provisions”.

Nurses are registered with AHPRA under section 38 of the health practitioner national law as in force in each state and territory. AHPRA regulates health practitioners in partnership with the National Board, Nursing and Midwifery Board of Australia.

When a nurse/midwife first applies for registration, the Nursing and Midwifery Board of Australia (NMBA) requires the applicant to declare their criminal history in all countries, including Australia. AHPRA on behalf of the NMBA must check an applicant's criminal history during the registration process to ensure only those nurses and midwives who are suitable and safe to practise are granted registration in Australia.

The Nursing and Midwifery Board of Australia has established State and Territory Boards, responsible for making registration and notification decisions about individual nurses and midwives.

If you have further enquiries regarding this matter, please contact Dr Carolyn Stapleton FACN, Director – Strategy, Policy and Advocacy, at carolyn.stapleton@acn.edu.au.

Yours sincerely



Dr Carolyn Stapleton FACN
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Australian College of Nursing

14 July 2020