

SEEK ADVICE BEFORE ENTERING RESIDENTIAL CARE AGREEMENTS

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The number of elderly people in Australia is growing and so to are their care requirements. As a result, many older people are moving into aged care residential facilities.

A person, or their carer, should carefully consider all aspects of entering into a Residential Care Agreement before making any decisions or signing any documents. Besides looking at the practicalities offered by a facility such as the standard of accommodation and access to medical care, the financial and legal aspects of a Residential Care Agreement, which can be complicated, should be carefully considered.

The cooling off period, fees charged, the amount of any accommodation Bond payable and any monies that may be returned to the person's estate upon death, consequences for late payment, the process for terminating the agreement or complaints, all need to be carefully considered. The agreement will generally be binding on the person's Attorney, under an Enduring Power of Attorney and also on the administrator or executor of their estate.

Moving into aged care accommodation can be difficult and emotional for all concerned. Obtaining timely financial and legal advice before any Residential Care Agreement is signed should ensure that any unnecessary expense and legal implications are avoided and the move into the residential facility is as smooth as possible.

This is general information only, and does not constitute specific legal advice. If you would like further information in relation to this matter or other legal matters please contact our offices at reception@hhg.com.au

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