

GUIDANCE NOTE: MEANING OF RESIDENTIAL CARE IN CCM REGULATIONS

Gas Industry Co asked consumers to apply for critical care designations if they qualified under the Gas Governance (Critical Contingency Management) Regulations 2008 (the Regulations). Under Regulation 46A(1)(b), consumers who provide 'residential care or support of people with disabilities or people who are frail (whether because of their age or for some other reason)' may apply for a critical care designation. Regulation 46A ensures that critical care providers receive higher priority for gas use in the event of a critical gas emergency.

This guidance note sets out Gas Industry Co's interpretation of residential care.

What does residential care mean?

Residential care must be read consistently with the purpose of this regulation and the Regulations as a whole. Regulation 46A primarily ensures that consumers who provide health and support services to dependent people receive higher priority for gas use in the event of a critical gas emergency. Gas Industry Co considers that the definition of residential care should therefore be limited to consumers who provide care or support to people with disabilities or people who are frail.

Although residential care is not defined in the Regulations, the term has a specific meaning for health care providers. The Ministry of Health and the Social Security Act 1964 provide the best guidance for determining what activities fall within the meaning of residential care. The Ministry of Health defines residential care as 'the following types of long-term care provided in a rest home or hospital:

- rest home care
- continuing care (hospital)
- dementia care
- specialised hospital care (psychogeriatric care)

Short-term respite care and convalescent care may be provided in these facilities, but do not involve income and asset testing.¹

The Social Security Act 1964 defines residential care services as 'disability services supplied to a person with a disability in a residential disability care institution or rest home.'²

Gas Industry Co will assess applicants against the Ministry of Health and Social Security Act 1964 definitions of residential care when determining critical care designations.

¹ Ministry of Health, "Residential Care Questions and Answers" (17 December 2013) < <http://www.health.govt.nz/our-work/life-stages/health-older-people/long-term-residential-care/residential-care-questions-and-answers>>

² Social Security Act 1964, s 2