

Aged Care Quality & Safety ... are you Royal Commission ready?

About HBA Legal

HBA has a simple goal: to simplify and solve our clients' problems. With this in mind, and with our deep specialised knowledge, we can offer innovative and client centred products and solutions to guide aged care providers through the Royal Commission into Aged Care Quality and Safety (**the Royal Commission**).

HBA was established on NewLaw principles which largely means we removed the shackles of bureaucracy and traditional thinking, seen in large law firms, to enable true business partnerships with a focus on clients' business goals. HBA specialises in insurance and risk servicing clients across Australia and overseas. We have market leading skills in the health sector with a genuine sub-specialty in aged care.


HBA's team has decades of experience advising the aged care sector and the health sector more generally on:

- Breaches of care.
- Systemic failures and risk management.
- Unsatisfactory professional conduct leading to consumer complaints and litigated claims.
- Workplace health and safety issues and employee claims.
- Reportable deaths requiring coronial investigation.

Our Point of Difference

Our industry experience sets us apart from the 'top tier' corporate law firms that have represented some clients in other recent Commissions. We have first-hand day-to-day experience working with various health and aged care facilities on issues similar to those that are likely to be the focus of the Royal Commission, in particular:

- Complaints by nurses' unions about an over-reliance on personal carers as opposed to professional nurses.
- Complaints by relatives of high care residents who do not have direct or professional knowledge of the matters they are complaining about.
- Disputes about the responsibility for clinical decisions when providers do not employ medical practitioners.

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- Allegations of elder abuse.
 - Media pressure to set blanket formulas for care ratios, as opposed to the tailored approach taken by the Registered Nurses and Physiotherapists who draft care plans.
 - Tensions created by accreditation issues and allegations of ACFI fraud.

As you would know, the aged care sector is already the most highly regulated in the health industry. HBA is uniquely placed to help protect your organisation from the adverse publicity and threat of regulator intervention, that will likely flow from the 'personal narratives' which are bound to be aired by care recipient advocates and other stakeholders.

Wisdom of Experience: our Royal Commission knowledge

The HBA team is no stranger to Royal Commissions.

Over the years, our people have advised on the 2013 Royal Commission into the Commonwealth's Home Insulation Programme, 2010 Pike River Coalmine Tragedy Royal Commission, 2011 Queensland Floods Inquiry, RU486, HIH Royal Commission and the WA Inc Royal Commission.

We work closely with a multi-disciplinary team that includes experienced barristers, clinical and forensic experts, IT architects, project managers, risk managers, speaking coaches (to help witnesses deliver their oral evidence with clarity and empathy at public hearings) and communications consultants to mitigate your risks.

HBA's Service Promise

We achieve success for our clients nationally by operating 'the HBA Way' which pivots on flexibility, accessibility and innovation. In real terms this means:

- Partnering with you and supporting delivery of your business goals.
- Tailoring our service to meet your specific needs (including flexible fee structures).
- Putting the best people on the job, wherever they are based (with no extra cost to clients).
- Thinking and working creatively within our ranks, and our expert associates in the field.
- Adding value with additional service offerings (like knowledge sharing, workshops and training).

We look forward to supporting you

In line with the HBA service promise, we commit to deliver what you want but, importantly, we'll also deliver what you need to minimise your organisation's exposure.

Our specialised health sector knowledge and nimble structure uniquely places us to provide a superior service to clients impacted by the Royal Commission. We would welcome the opportunity to develop the product that best suits your organisation's interaction with the Royal Commission, whether that be as a key participant, someone who has received a notice to appear on an isolated issue, or simply seeking advice on implementing the Royal Commission's final recommendations.

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