



## Office of The Hon. Mary-Anne Thomas MP

Minister for Health  
Minister for Ambulance Services

GPO Box 4057  
Melbourne Victoria 3001  
Telephone: +61 3 9096 8561  
[www.health.vic.gov.au](http://www.health.vic.gov.au)

BAC-CO-29785

Ms Anna Pejnovic  
Coroners Court of Victoria  
65 Kavanagh Street  
Southbank, VIC 3006  
[cpuresponses@coronerscourt.vic.gov.au](mailto:cpuresponses@coronerscourt.vic.gov.au)

Dear Ms Pejnovic,

### **RE: COR 2017 001781 – Investigation into the death of Phillip Hodges**

Thank you for your correspondence dated 19 July 2022 regarding a request for response to the recommendations made following a Coroner's inquest into the death of Mr Phillip Hodges.

I am saddened to learn of the death of Mr Phillip Hodges and note the recommendations made under section 72(2) of the *Coroners Act 2008* (the Act) following his death. The Victorian Government believes older people should be able to access high quality and safe services that respond to and are appropriate for their needs.

In response to the three recommendations made by the Coroner, the following is enclosed:

*1. In the interests of promoting public health and safety and with the aim of preventing similar deaths, I recommend that the Federal and State Government Health Departments create a legislative mandate requiring annual drills for residential aged care staff to enable the staff to develop the necessary skills to abate the medical emergency risks presented by choking incidents.*

Department's response: The Coroner's recommendation cannot be implemented by the State Government.

*2. In the interests of promoting public health and safety and with the aim of preventing similar deaths, I recommend that the Federal and State Government Health Departments include a training module to cover emergency procedures in choking incidents as part of any standing First Aid Response training in residential aged care.*

Department's response: The Coroner's recommendation cannot be implemented by the State Government.

The Coroner's recommendations 1 and 2 cannot be implemented by the Victorian State Government, as the Commonwealth Government is responsible for the regulation of residential aged care services in Victoria. This includes applying the quality-of-care standards and providing funding under the *Aged Care Act 1997* (Cth). Additionally, provisions in the Aged Care Quality Standards, as enforced by the Aged Care Quality and Safety Commission, ensure that the workforce is sufficient, and is skilled and qualified to provide safe, respectful and quality care and services.

The Victorian Government contributes funding and support for Public Sector Residential Aged Care Services (PSRACS), which are mainly entities created under the *Health Services Act 1988* (Vic). However, all the PSRACS are regulated and funded under the *Aged Care Act 1997* (Cth).

*3. In the interests of promoting public health and safety and with the aim of preventing similar deaths, I recommend that the Federal and State Government Health Departments devise or develop a training module for staff employed in residential aged care to be trained to safely provide feeding assistance at all times to residents with modified texture diets.*

Department's response: An alternative to the Coroner's recommendation has been implemented.

Prior to the recommendation being made by the Coroner, the following are in place:

- (i) Dysphagia or difficulty in swallowing is a specialty that requires medical and speech therapy review and assessment to develop a person-centred plan of care. The development of a universal training module removes the individual risk factors associated for a person with dysphagia.
- (ii) Within the aged care sector, a number of education providers offer training courses on safe swallowing and dysphagia management in aged care.
- (iii) The Commonwealth Department of Health as the primary funder and regulator of aged care services under the *Aged Care Act 1997* (Cth) is responsible to ensure residents receive safe and effective care. Further, provisions in the Aged Care Quality Standards as enforced by the Aged Care Quality and Safety Commission ensure that the workforce is sufficient, and is skilled and qualified to provide safe, respectful and quality care and services.
- (iv) Emergency procedures are delivered by the aged care provider and are developed in a range of methods. Training modules are selected based on a provider's individual need and staff educational requirements.

- (v) The Victorian State Government together with LaTrobe University and the Australian Centre for Evidence Based Aged Care (ACEBAC) produced evidence-based standardised care processes (SCP's) in response to areas of clinical risk. The SCPs were developed to assist the Victorian PSRACS to provide high-quality care for residents. There are 19 SCPs for priority risk areas in resident care, including chocking. The aim of the SCP is to support skills, training and competency of staff, to ensure providers review access to equipment and supplies, and review the practice to access medical, allied health and other services. All SCPs are freely available online.
- (vi) The risks associated with swallowing are recognised by the Victorian Government. In response to this both provider and resident, families and carer sheets were developed via a series of information sheets on a range of common care issues. There are currently 18 information sheets available in an easy-to-understand format in multiple languages. Swallowing is one of 18 fact sheets available.
- The information sheets are designed to help residents discuss care issues and work together with staff and providers of residential aged care services. This work recognises residents, families and carers as important and valued members of the care team.
- (vii) Australia formally transitioned from the Australian National Standardised terminology and definitions for texture modified foods and thickened liquids to the International Dysphagia Diet Standardisation Initiative (IDDSI). IDDSI has been implemented in Australia since May 2019. IDDSI delivers both a standardised approach to food and fluids. This change utilises clearer and universally understood terminology and resources for the sector.

Should you wish to discuss this matter further, please contact Associate Professor Dr Lisa Clinnick, PSRACS Operations and Performance Team Manager at the Department of Health via email at [lisa.clinnick@health.vic.gov.au](mailto:lisa.clinnick@health.vic.gov.au).

I trust this information has been of assistance and thank you again for taking the time to write to me about this matter.

Yours sincerely



**Hon. Mary-Anne Thomas MP**  
Minister for Health  
Minister for Ambulance Services

13/10/2022