



Queensland

Disability Services Amendment Regulation (No. 1) 2015

Subordinate Legislation 2015 No. 66

made under the

Disability Services Act 2006

Contents

		Page
1	Short title	2
2	Commencement	2
3	Regulation amended	2
4	Replacement of s 4 (Fee for application for prescribed notice—Act, s 83) 2	
4	Fee for application for prescribed notice—Act, s 52 . .	2
5	Amendment of s 5 (Documents relating to proof of engaged person's identity—Act, s 83)	2
6	Replacement of ss 6 to 8	2
6	Fee for application for cancellation—Act, s 82	3
7	Fee for application for replacement—Act, s 92	3
8	Fee for application for an eligibility declaration—Act, s 99	3
8A	Information about restrictive practice approvals—Act, s 199(2)	3
8B	Information about use of restrictive practices—Act, s 199(2) 5	
7	Amendment of s 9 (Records—Act, s 214)	6
8	Amendment of sch 4 (Dictionary)	7

1 Short title

This regulation may be cited as the *Disability Services Amendment Regulation (No. 1) 2015*.

2 Commencement

This regulation commences on 1 July 2015.

3 Regulation amended

This regulation amends the *Disability Services Regulation 2006*.

4 Replacement of s 4 (Fee for application for prescribed notice—Act, s 83)

Section 4—

omit, insert—

4 Fee for application for prescribed notice—Act, s 52

For section 52(2)(d) of the Act, the prescribed fee is \$83.20.

5 Amendment of s 5 (Documents relating to proof of engaged person's identity—Act, s 83)

(1) Section 5, heading, 's 83'—

omit, insert—

s 52

(2) Section 5(1), 'section 83(3)(b)'—

omit, insert—

section 52(3)(b)

6 Replacement of ss 6 to 8

Sections 6 to 8—

omit, insert—

6 Fee for application for cancellation—Act, s 82

For section 82(5)(c) of the Act, the prescribed fee is \$83.20.

7 Fee for application for replacement—Act, s 92

For section 92(2) of the Act, the prescribed fee is \$12.60.

8 Fee for application for an eligibility declaration—Act, s 99

For section 99(4)(c) of the Act, the prescribed fee is \$83.20.

8A Information about restrictive practice approvals—Act, s 199(2)

- (1) This section applies if a relevant service provider is given a restrictive practice approval to use a restrictive practice in relation to an adult with an intellectual or cognitive disability.
- (2) The relevant service provider must give the following information to the chief executive—
 - (a) the adult's—
 - (i) full name; and
 - (ii) unique client identifier; and
 - (iii) date of birth; and
 - (iv) gender; and
 - (v) primary disability;
 - (b) the relevant service provider's—
 - (i) name; and
 - (ii) provider number; and

- (iii) contact telephone number; and
 - (iv) email address;
 - (c) the type of disability services provided by the service provider;
 - (d) the person, identified by name or position title, authorised by the service provider to use the restrictive practice;
 - (e) the type of approval;
 - (f) the restrictive practice;
 - (g) who gave the approval;
 - (h) the date of the positive behaviour support plan for the adult that provides for the use of the restrictive practice;
 - (i) the date the approval was given;
 - (j) the date the approval expires.
- (3) If the restrictive practice approval is changed in a way that changes the information given under subsection (2), the relevant service provider must give the changed information to the chief executive.
- (4) The relevant service provider must give the information to the chief executive in the form approved by the chief executive.
- (5) The relevant service provider must give the information to the chief executive within 14 days after the approval or change to which the information relates is given or made.
- (6) In this section—
- provider number***, for a relevant service provider, means the unique number allocated to the relevant service provider under a service contract between the relevant service provider and the department.

8B Information about use of restrictive practices—Act, s 199(2)

- (1) This section applies if a relevant service provider uses a restrictive practice in relation to an adult with an intellectual or cognitive disability.
- (2) The relevant service provider must give the following information to the chief executive for each calendar month in which the restrictive practice is used—
 - (a) the adult's full name;
 - (b) the adult's unique client identifier;
 - (c) the restrictive practice used;
 - (d) the days on which, or the days between which, the restrictive practice was used;
 - (e) the times when the restrictive practice started and ended on each of the days;
 - (f) the frequency with which the restrictive practice was used;
 - (g) any episodic or isolated uses of the restrictive practice;
 - (h) the place where the restrictive practice was used;
 - (i) any injury to a person that happened when the restrictive practice was used;
 - (j) if a mechanical or physical restraint was used—the type of restraint;
 - (k) if the restrictive practice involved restricting access to an object—the object;
 - (l) if a medication was used as a chemical restraint—
 - (i) the generic name of the medication;
 - and

[s 7]

- (ii) the proprietary name of the medication;
and
 - (iii) the prescribed dose of the medication;
and
 - (iv) the prescribed frequency of the dose of
the medication; and
 - (v) the name of the doctor who prescribed
the medication.
- (3) The relevant service provider must give the
information to the chief executive using an
electronic system approved by the chief
executive.
- (4) The relevant service provider must give the
information to the chief executive—
 - (a) on the second Friday of the calendar month
immediately after the calendar month in
which the restrictive practice is used; and
 - (b) at other times if the chief executive, by
written notice, requires the relevant service
provider to do so.
- (5) A notice under subsection (4)(b) must state—
 - (a) the period to which the information must
relate; and
 - (b) the type of information, mentioned in
subsection (2), that the relevant service
provider is required to give; and
 - (c) when the relevant service provider must give
the information to the chief executive.

7 Amendment of s 9 (Records—Act, s 214)

- (1) Section 9, heading ‘s 214’—

omit, insert—

s 215

(2) Section 9(1), ‘section 214’—

omit, insert—

section 215

8 Amendment of sch 4 (Dictionary)

Schedule 4—

insert—

restrictive practice approval see section 195(7) of the Act.

unique client identifier, for an adult, means the unique number allocated to the adult by the department.

ENDNOTES

- 1 Made by the Governor in Council on 25 June 2015.
- 2 Notified on the Queensland legislation website on 26 June 2015.
- 3 The administering agency is the Department of Communities, Child Safety and Disability Services.

© State of Queensland 2015

Authorised by the Parliamentary Counsel