L.N. 424 of 2020

SOCIAL CARE STANDARDS AUTHORITY ACT (CAP. 582)

Mandatory Measures for Residential Services for Older Persons Regulations, 2020

IN EXERCISE of the powers conferred by article 30(5) of the Social Care Standards Authority Act, the Minister for the Family, Children's Rights and Social Solidarity, has made the following regulations:-

Citation and scope.

1. (1) The title of these regulations is the Mandatory Measures for Residential Services for Older Persons Regulations, 2020.

(2) The scope of these regulations is to establish mandatory measures for residential services for older persons for which the Authority may impose an administrative penalty and to establish the penalties to be paid in order to control the spread of COVID-19.

Interpretation.

2. In these regulations, unless the context otherwise requires:

Cap. 582.

"Act" means the Social Care Standards Authority Act;

"Authority" means the Social Care Standards Authority established by virtue of article 5 of the Act;

"older person" means a person over the age of sixty (60) whose care needs may be holistically managed on a long-term basis by a facility;

"residents to carer allocation system" means a system where the same cohort of caring staff are allocated to care holistically for all the needs of residents assigned within the same residential bubble;

"residential bubble" means keeping the same people within the same small cohort group;

"service provider" means a person who, or organisation that provides and operates a facility and associated care services to older persons on a long-term basis;

"Tribunal" means the Administrative Review Tribunal referred to in articles 25 and 26 of the Act.

3. (1) Where the Authority imposes an administrative penalty as provided for in article 28 of the Act, the amount of such penalty shall be determined by reference to the Schedule. Administrative penalties.

(2) The first column of the Schedule provides a general description of the infringement and the second column establishes the penalty to be paid.

4. Any person who feels aggrieved by a decision of the Authority may appeal before the Tribunal in accordance with articles 25 and 26 of the Act. Appeals.

SCHEDULE
(Regulation 3)

In the event of non-compliance by the licensed service provider for failure to:	**Administrative penalties imposed for non-compliance**
1. Mandatory use of visor or medical mask	
1.1. Wear a visor or medical mask by any person who is: (a) working in a residential service for older persons; (b) a professional or medical care staff who needs to assist the residents; (c) delivering goods or rendering a service within the residence.	€100
2. Residents to carer allocation system and residential bubble	
2.1 Make use of residents to carer allocation system within the same residential bubble.	€2,000
3. Communication with relatives	
3.1 Ensure that residents are provided with the necessary resources to ensure that they are able to keep continuous communication with their families and/or friends. Such contact can be made through phone calls, video calls, interaction on social media and other technological means.	€100
4. Infection Control Measures	

4.1 Abide by infection control measures as issued by the authority.	€500
5. Respect of Quarantine Measures	
5.1 Respect quarantine measures as issued by the authority	€500
6. Visiting Arrangements	
6.1 Abide with the protocol issued by the authority in relation to visits by relatives to older persons residing in a residential home.	€100

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