

NDIS safety commission bans Ann Marie Smith care provider Integrity Care

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Ann Marie Smith's death sparked a criminal investigation. (Supplied: SA Police)

The National Disability Insurance Scheme (NDIS) Commission has banned disability care agency Integrity Care from operating after its client Ann Marie Smith died in "appalling circumstances" earlier this year.

The NDIS Quality and Safeguards Commission has confirmed it has revoked Integrity Care's registration and issued a banning order over what it described as a number of breaches of the NDIS Act.

Ms Smith, 54, died on April 6 from severe septic shock, organ failure, severe pressure sores, malnutrition and issues connected with her cerebral palsy.

[The case sparked public shock and multiple investigations, including by the commission and by police](#), and it is believed Ms Smith may have spent up to a year in a cane chair before she died in hospital.

Last week, [police charged Hectorville woman and Integrity Care worker Rosemary Maione, 68, with manslaughter](#) in connection with Ms Smith's death.

Key points:

- Ann Marie Smith died in what the commission described as "appalling circumstances"
- The commission launched an investigation into care provider Integrity Care
- It has been issued with an order banning it from operating, effective August 21



Integrity Care will have its registration revoked. (ABC News: Mahalia Carter)

In a statement released late on Wednesday, the NDIS Commission said the loss of registration will take effect from Friday, while the ban will come into effect a week later.

"Integrity Care was advised in early June 2020 of the intention to revoke the organisation's registration and to ban it from operating, and was given an opportunity to respond," NDIS Quality and Safeguards Commissioner Graeme Head said in a statement.

"There are very clear requirements under the NDIS Act as to how the NDIS Commission takes compliance actions, so that decisions are made with due process."

Mr Head said Integrity Care had been given "ample opportunity" to respond, as the NDIS Act requires.

Safety of other participants a priority

The commission said its first priority was ensuring the safety of other NDIS participants "supported by Integrity Care", and that it had issued a compliance notice requiring the agency to carry out independent welfare checks.

"The NDIS Commission has broad powers to take compliance and enforcement action when NDIS providers are found not to have met their obligations under the NDIS Act," it said.

The decision to revoke the provider's registration will prevent it from providing NDIS-funded supports and services, the commission said.

Integrity Care has declined to comment on the development.



Integrity Care SA's office at Edwardstown in suburban Adelaide. (ABC News)

SA Disability Advocate David Caudrey said it was an expected outcome, but that the NDIS Commission had to go through a process to ensure other Integrity Care clients were safe and that it was meeting its legal obligations before it could issue the ban.

Mr Caudrey, [who recently co-chaired a taskforce into disability safeguards](#) created in response to Ms Smith's death, said the commission would be in the process of transferring the agency's clients to other service providers.

"The end point isn't at all surprising [but] there are usually a number of steps that need to be gone through ... it isn't a trivial set of questions," he told ABC Radio Adelaide.

"They have made sure that the other participants were safe."

SA Opposition Human Services spokesperson Nat Cook was critical of the fact that the agency had not been shut down sooner.

"I just can't believe they didn't shut them down straight away," she said.

"The length of time it's taken ... it's not good enough — it doesn't pass any test of decency."

The NDIS investigation into Ms Smith death remains ongoing and the commission foreshadowed "further regulatory actions".