

# NDIS Commission launches legal action against Integrity Care over death of Ann Marie Smith

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Integrity Care is accused of failing to deliver services safely and to prevent "all forms of neglect". (ABC News)

The body overseeing the National Disability Insurance Scheme (NDIS) has launched Federal Court action against the company responsible for supporting Ann Marie Smith, the Adelaide NDIS recipient who died in horrific circumstances.

Ms Smith died in her Adelaide home in April 2020, after being neglected by her carer.

That worker, 70-year-old [Rosa Maria Maione, was this month sentenced to six years' jail for Ms Smith's manslaughter.](#)

The NDIS Quality and Safeguards Commission has now commenced civil penalty proceedings against Maione's employer, Integrity Care (SA) Ltd.

The company had previously been fined, [had its registration revoked and been banned from operating in the NDIS.](#)

The NDIS has also previously banned one of Integrity Care's directors, Amy Collins, and Maione from operating in the scheme.

## Key points:

- Ann Marie Smith died in April 2020 in what the NDIS Commission described as "appalling circumstances"
- The company responsible for supporting her, Integrity Care, stands accused of significant NDIS breaches
- It was already banned from operating, and is now facing Federal Court action



Ms Smith's death sparked multiple investigations, including by SA Police. (Supplied: SA Police)

A separate former director of the company, [57-year-old Philip John Greenland, is facing charges of assaulting and intimidating a key witness](#) in a police investigation into Ms Smith's death.

"The death of Ms Smith is tragic and continues to shock and sadden many people across Australia," NDIS Quality and Safeguards Commissioner Tracy Mackey said.

## Commission seeking financial penalties

The NDIS Commission is seeking to impose financial penalties on Integrity Care, and said its regulatory power enabled it to launch the civil action in the Federal Court.

"These powers include seeking civil penalties when a provider ... has failed to take all reasonable steps to prevent and respond to the neglect and abuse of people with disability, has failed to ensure the dignity of people with disability, and has failed to ensure a safe environment," the commission stated.

In a document filed to the Federal Court, the NDIS Commission accused Integrity Care of failing to comply with a statutory requirement "to provide supports and services in a safe and competent manner".



Rosa Maria Maione was jailed over Ms Smith's death. (ABC News)

It also accused Integrity Care of failing to "take all reasonable steps to prevent all forms of neglect of people with disability".

Ms Smith was an NDIS participant at the time of her death, and the commission said she died in "appalling circumstances".

The recent court case against Maione was told the cause of death was multiple organ failure from an untreated pressure sore.

Ms Smith was also dehydrated and malnourished.