

**Community Affairs Legislation Committee: Inquiry into National Disability Insurance Scheme Amendment (Getting the NDIS Back on Track No. 1) Bill 2024 [Provisions]**

Public Hearing – 22 May 2024

**ANSWER TO QUESTION ON NOTICE**

Department of Social Services

**Topic:** Inquiry into National Disability Insurance Scheme Amendment (Getting the NDIS Back on Track No. 1) Bill 2024 [Provisions]

**Question reference number:** IQ24-000034

**Question asked by:** Maria Kovacic

**Type of Question:** Written.      **Hansard Page/s:**

**Date set by the Committee for the return of answer:** 5 June 2024

**Question:**

3. How are needs currently assessed, how will they be assessed under the proposed legislation and what is the difference?

**Answer:**

***Currently***

The current planning process is described in detail in the [NDIS Review final report supporting analysis](#) from p. 250.

***Proposed future arrangements***

The Getting the NDIS Back on Track Bill No. 1 (the Bill) creates the scaffolding to progress key NDIS Review recommendations. The Bill enables the creation of new legislative instruments which prescribe a new approach to assessing each participant's reasonable and necessary support needs.

The new approach to assessing participant support needs will be developed through an extensive consultation and co-design process, involving deep engagement with the disability community and relevant experts.

***Key differences***

**The current process is confusing and lacks clarity** – As the NDIS Review identified, under the current planning approach it is not always clear to participants which supports are funded by the NDIS, what evidence is required to receive them, or how evidence is assessed and decisions made. Under the new legislative framework, the NDIA's needs assessment approach and the decision rules for budgeting will be transparently outlined in a legislative instrument.

**Line by line supports vs flexible budget** - the current process involves building a plan line by line, each individual support at a time. This requires participants to know what supports are available and funded by the NDIS, and what evidence must be provided to receive them. The new process will have a structured needs assessment which considers all domains of a participant's life. This will enable calculation of a budget which can be used flexibly to purchase NDIS supports. Flexible budgets will support participants to exercise greater choice and control over the services and supports they receive.

**Requirement for participants to collect information for needs assessment** – The current planning process requires participants to source their own assessments and other information to demonstrate their need for particular supports. In the planning meeting, an NDIA delegate considers this information when deciding whether individual supports are reasonable and necessary. Under the new process, all participants will have a structured needs assessment that has been developed with people with disability, and then a reasonable and necessary funding amount will be calculated based on the outcome of the assessment.