



Australian Government

Australian Government response to the
Joint Standing Committee on the National Disability Insurance
Scheme report:

Inquiry into Independent Assessments

February 2023

Introduction

The Australian Government welcomes the Joint Standing Committee on the National Disability Insurance Scheme's (the Committee's) report on its Inquiry into Independent Assessments.

The report contains six recommendations going to broader matters of financial sustainability, approaches to co-design and consultation, and bulk-billed appointments with medical and allied health professionals.

The Government is committed to working alongside the disability community to improve outcomes for people with disability.

The Government supports or supports-in-principle two recommendations made in the Report. Four recommendations are noted, with two of these considered in the review of the design, operation and sustainability of the National Disability Insurance Scheme (NDIS or the Scheme) which commenced in late 2022.

Implementation of the Government response has already commenced with legislation to embed a co-design approach to the NDIS passing through Parliament in April 2022 with bipartisan support. The Government will also work in partnership with those with lived experience of disability through both the NDIS Review, and the Independent Advisory Council (IAC) and disability representatives, on the co-design of a new person-centred model that delivers consistency and equity in access and planning outcomes, consistent with the legislative requirements for assessments as set out under the Act.

Inquiry into Independent Assessments

Recommendations made by the Committee

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| 1. The Commonwealth Government implement the National Disability Insurance Scheme Reserve Fund as soon as practicably possible. |
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Recommendation 1 – Noted

The Government notes this issue is currently being considered by the Council on Federal Financial Relations as part of broader consideration of existing funding arrangements between the Commonwealth and the states and territories.

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| 2. The Commonwealth Government amend the National Disability Insurance Scheme Act 2013 to include a specific commitment to and definition of co-design, following extensive consultation on what ‘co-design’ should be. |
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Recommendation 2 – Supported in principle

The Government is committed to co-design as a meaningful, joint collaboration with participants, their carers and families to resolve some of the challenges facing the Scheme. The Government will consider further specificity around the definition of ‘co-design’ following the outcome of further consultations with the disability community.

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| 3. Consultations with medical and allied health professionals for the purposes of access to the National Disability Insurance Scheme and to support requests for items in NDIS plans be: <ul style="list-style-type: none">• carried out by health professionals nominated by participants and/or their nominees, where appropriate and available;• holistic, taking into account medical reports and other contextual information as appropriate; and• multidisciplinary, involving consultation with multiple experts who treat and have treated the person. |
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Recommendations 3 – Noted for NDIS Review to consider

The Government has commenced a review of the design, operation and sustainability of the NDIS, with a focus on improving all aspects of the participant experience. The Review will consider a wide range of issues, including the contributions that health professionals who are experienced in the diagnosis and management of disability make in the access and planning process.

4. Where consultations with medical and allied health professionals for the purposes of access to the National Disability Insurance Scheme or to support requests for items in NDIS plans cannot be carried out by appropriate professionals nominated by a participant and/or their nominee:
- The National Disability Insurance Agency implement an accreditation process for appropriate professionals to carry out consultations for those in the circumstances described above;
 - The National Disability Insurance Agency ensure that these assessments are holistic and multidisciplinary; and
 - The National Disability Insurance Agency implement specific, targeted strategies to ensure that particular cohorts are not disadvantaged by such a process.

Recommendation 4 – Noted

The Government is currently co-designing improvements to the access and planning pathway with the disability sector. The Government has worked with the disability sector to develop the terms of reference for the review of the NDIS. Both of these processes will include a range of approaches to person-centred assessments in their consideration, including the role of medical and allied health professionals.

5. The Australian Government consider funding bulk-billed consultations with medical and allied health professionals for the purposes described in Recommendation 3 and Recommendation 4.

Recommendation 5 - Noted for NDIS Review to consider

Under the *Health Insurance Act 1973*, Medicare benefits are only payable for clinically relevant services, which are reasonably required for the management of the patient's medical condition and provided by an appropriate health practitioner.

While the Government has no capability to compel health professionals to bulk bill MBS services provided to NDIS clients, the Government notes this recommendation and has referred it to the NDIS Review for further consideration.

6. All assessment tools that the National Disability Insurance Agency proposes, for the purposes of funded assessments to access the National Disability Insurance Scheme and to help inform funding decisions, should be subject to rigorous consultation with people with disability, Disability Representative Organisations, and relevant health and allied health practitioners before the National Disability Insurance Agency decides to implement them.

Recommendation 6 – Supported

The Government will continue to engage with the disability community on improvements to the access and planning pathway and through the NDIS Review. Any proposed person-centred assessments will be co-designed with the disability community.