

24 January 2013

Our ref: 130118-SCCAMD-DL

Committee Secretary
Senate Standing Committees on Community Affairs
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

By email: community.affairs.sen@aph.gov.au

Dear Committee Secretary,

Re: APA feedback on the National Disability Insurance Scheme Bill 2012 Exposure Draft

The APA strongly supports a national no-fault long-term scheme to provide disability care and support. We support the need for a well-implemented series of changes that is necessary to address the shortcomings in the existing disability support system, and ensure that vulnerable people with disabilities receive the care and support that they need to maximise function, participation and opportunities to achieve their personal goals.

We are pleased to commend the support that this scheme has received across the political spectrum. We believe that swift passage of the National Disability Insurance Scheme Bill 2012 will be a crucial step in establishing the National Disability Insurance Scheme (NDIS) within the announced timeline.

The APA supports legislation that provides necessary clarity for critical components of the scheme, and flexibility where it is required to ensure the scheme is robust enough to respond to challenges and position itself to better support people with disabilities.

The APA has the following specific comments regarding the Bill:

- The APA reiterates that the prescribed assessments under Section 26(1)-b, Section 36(2)-b, and Section 50b must be funded by the NDIS.
- The APA recommends that Section 30 includes a period of notice that the CEO is required to provide before a revocation takes effect. We suggest that this notice should be 28 days.
- Within Division 2, the APA recommends that the legislation requires the Agency to define a timeframe for the completion of plans.
- We commend the inclusion of the *plan nominee* in the legislation. The APA has expressed strong support of the '*intermediary to the person with a disability*', as described by the Productivity Commission in its final report. We firmly believe that appropriate health professionals like physiotherapists will play an important role in assisting with service navigation and planning long-term supports for people with disabilities as a person's plan nominee.

Physiotherapists have the knowledge and training to anticipate when and what interventions, aids and equipment are needed through the lifespan of a person with a disability. A physiotherapist can also assist a person with a disability by liaising with trained assessors and the case manager through the assessment, and advocating for the individual with a disability which can expedite the process of assessments.

The APA believes that the NDIS should in principle promote and preference care and supports that are cost-efficient, are able to increase or enhance independence of people with disabilities, and assist in reducing their reliance on and frequency of need on future or alternative supports. The Agency also has a role in encouraging the sector to develop and promote such care and supports, including facilitating appropriate research and innovation. We believe that this principle needs to be reflected within the legislation when relating to 'reasonable and necessary' supports (Section 34), and in stating the role of the Agency (Section 118).

The APA looks forward to ongoing consultation on the NDIS, and urges the government to ensure that the Agency will continue to engage key stakeholders including the health professions in future consultations. If you have any enquiries, please feel free to contact Jonathon Kruger, General Manager, Advocacy and International Relations Division

Yours faithfully,

Marcus Dripps
President