

**Senate Community Affairs Legislation Committee**  
Public Hearing – 25 July 2024  
NDIS Amendment (Getting the NDIS Back on Track No. 1) Bill 2024  
ANSWER TO QUESTION ON NOTICE  
National Disability Insurance Agency

**Topic:** NDIS Supports Funding

**Question reference number:** NDIA IQ24-000031

**Question asked by:** Jordon Steele-John

**Type of Question:** Spoken. Hansard Page: 52

**Date set by the Committee for the return of answer:** 31 July 2024

**Question:**

Senator STEELE-JOHN: All of the things that you listed in your explanatory memorandum, with the exception of holidays, which was a torturous thing to include, are things you can use funds on. We had a witness that gave evidence yesterday wearing a smartwatch, which they had received through their NDIS funding because it was far cheaper than the bespoke piece of assistive technology that they otherwise would have required. We had a previous witness give evidence that they were only able to appear as a witness because they were able to purchase continence pads from Coles which were far cheaper than the continence pads that you are required to buy from bespoke stores. So there are examples. In relation to holidays, you've never been able to buy the hotel room, but you have always been able to make the case that you need a support worker to go with you in order to support your participation in a leisure activity, because disabled people have the same right to experience a holiday as anybody else does. People are being funded for these things, and my desperate attempt is to extract from you the answer to the question: What happens on the 29th day if you are currently receiving supports for such an item that is then listed as no longer acceptable? Is it taken away? Are you given an opportunity to give it up? What is the process?

Mr Swainson: There are two things I would like to say. I will say you are correct.

On commencement of the instrument—so it's not on commencement of the bill; it's on commencement of the instrument—those things which are not NDIS supports will not be able to be purchased from that point by participants, so that point is correct. What I'm hearing from you is some concern and some wish for further information about what the agency's approach to that is. The most helpful thing I can do for this committee is come back on notice with the approach that the agency will take, the educative approach, with information on what that means, how we are going to help participants with that and what our communication plan is. I think a fulsome answer like that will get to your question.

**Answer:**

The National Disability Insurance Agency (NDIA) and Department of Social Services (DSS) have commenced consultation on key aspects of proposed changes outlined in the National Disability Insurance Scheme (NDIS) Amendment (Getting the NDIS Back on Track No. 1) Bill 2024 to inform transitional rules and to ensure approaches to implementation are informed by the voices of participants and the disability community.

This has included consultation sessions on:

- proposed changes to section 33 that would introduce a total funding amount, funding limits for specific supports and funding periods to NDIS plans, and
- proposed definition of NDIS Supports and associated draft transitional rule to support proposed changes to section 10.

DSS will also lead public engagement on priority instruments.

As part of ongoing consultation activities on rules, instruments and transitional arrangements, the NDIA will work with NDIS participants, their families and carers as well as Disability Representative Council Organisations and other stakeholders to develop and test participant communications and resources.

All consultation activity will be collated and tabled as part of the Explanatory Statement to the legislative instruments.

The NDIA's focus in implementing the legislation will be on communicating with and educating participants about the changes and putting in place operating arrangements to support participants in the change.