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New

Are art and music therapy NDIS supports? (New)

While art and music therapy remain allowed, there is insufficient evidence of the effectiveness of these therapies to improve disability-related function to be classified as a 'therapy' under the new definition of NDIS supports.

What are the new arrangements for accessing art and music therapy through the NDIS? (New)

Participants will continue to have access to music and art activities.

However, from 1 February 2025, NDIS participants will no longer be able to claim art and music activities as therapeutic supports.

Participants will be able to access these supports in 2 different ways through their community participation budget:

- At a 1 to 1 rate of \$67.56 an hour when delivered by a registered provider.
- At a group rate of \$193.99 an hour when delivered to a minimum of 4 participants by a registered provider.

If music or art therapy is stated in a participant's plan as reasonable and necessary, they can continue to access these supports at the higher rate.

How will these changes impact current participants and providers? (New)

Participants and providers can continue with their current arrangements until 1 February 2025. After this date, the new pricing structure will apply.

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Why is the NDIA updating the guidance for music and art therapy? (New)

The updated guidance reflects the legislative changes that are being made to ensure NDIS participants have access to evidence-based, disability-related supports. The new guidance clarifies what NDIS participants can and cannot spend their funding on.

There's currently not enough evidence that art and music therapy will be, or are likely to be, effective and beneficial to participants, taking into account current good practice.

What has the NDIA found about the effectiveness of music and art therapy? (New)

In implementing new Government legislation, the Agency has undertaken a review of existing evidence and research about the effectiveness of art and music therapy in improving or maintaining the functional capacity of participants as related to their disability.

While art and music therapy remain permissible under the Scheme, they do not meet the evidentiary standards required to be classified as a 'therapy' under the definition of NDIS supports for all participants.

The allowable NDIS list includes 'evidence-based therapy to help participants improve or maintain their functional capacity in areas such as language and communication, personal care, mobility and movement, interpersonal interactions, functioning (including psychosocial functioning) and community living'.

Therapy (for example psychology or occupational therapy) is paid at a higher rate than many other activities funded through the NDIS.

We understand that the evidence base in relation to art and music therapy is continuing to be developed, as it relates to disability-related support. In recognition of this the NDIA is referring art and music therapy to be assessed by the NDIS Evidence Advisory Committee (NDIS EAC).

The NDIS EAC was a key recommendation of the NDIS Review. Its role is to provide advice on the evidence base for therapeutic supports accessed through the NDIS, improving outcomes and ensuring better value for participants.

What types of therapies are considered evidence-based under the NDIS? (New)

The 'Supports that are NDIS supports' list includes evidence-based therapies that help participants improve or maintain their functional capacity in areas such as language and communication, personal care, mobility and movement, interpersonal interactions, functioning (including psychosocial functioning), and community living.

These therapies also include assessments by health professionals for support planning and review as required. Examples include psychology and occupational therapy, which are funded at higher rates than many other activities.

How can providers register for community participation? (New)

Providers can register by visiting the [NDIS Quality and Safeguards Commission](#) website and following the registration process.

Are disability specific bicycles, including electric bicycles, considered an NDIS support? (New)

Yes. Bicycles or tricycles, with or without an electric motor, that include disability specific features, or have been designed to meet the disability specific needs of a participant, are an NDIS support.

This is because they are considered an assistive product for recreation and can be funded if they also meet the 'reasonable and necessary' criteria applied to all NDIS supports.

The costs associated with adapting or modifying a standard bicycle or tricycle to meet a participant's disability specific needs may also be an NDIS support. However, in these circumstances the participant, or their family, would need to self-fund the cost of the bicycle or tricycle that is being adapted or modified.

Standard, non-modified, bicycles or tricycles including electric bicycles are not NDIS supports.

In some specific circumstances, the NDIS may fund supports that are not listed as NDIS supports. These are called replacement supports. Electric bicycles are not considered standard commercially available household items and therefore are not a support for which a replacement can be requested.

What is the purpose of an eligibility reassessment? (New)

Eligibility reassessments are not new and are normal practice in the NDIS. They have been a part of the Scheme since the beginning.

The purpose of an eligibility reassessment is to check if a participant's support needs are being met or have changed.

For some participants, their support needs won't change. For others, they may reduce over time.

Reducing support needs over time is the aim of the Early Intervention criteria (section 25).

When we support people early, it can improve outcomes and reduce the need for supports later in life.

How does the eligibility reassessment process work? (New)

We send a letter to a participant (or nominee) to tell them about the eligibility reassessment and that we require information.

The new law means we can ask for other, specific information. This might include:

- a specific type of assessment
- a specific report from an allied health professional.

We understand that it can take time to get this information. That's why the new law allows 90 days to provide it. If the information isn't available in 90 days, the participant (or nominee) can ask for more time.

So far, we haven't asked any participants for specific information. If we do, we will support participants (or their nominee) to understand what we need, why we need it and when we need it by.

If we decide someone isn't eligible or they don't respond to our request within the timeframe, we may revoke their access to the NDIS. This helps ensure that support is accurately targeted to those who need it.

There will also be rules to require mandatory eligibility reassessments, for example when children turn 9.

Is the NDIA doing more eligibility reassessments? (New)

The NDIA received funding to increase its overall staffing in the 2023/24 Budget to better service the growing numbers of participants. This has enabled the Agency to undertake more reassessments.

While the number of eligibility reassessments conducted recently has increased – due to increased staffing and continued work to reduce an existing backlog – the number of participants recommended for reassessment by local area coordination and early childhood partners has remained stable.

Is Short Term Accommodation (STA) an NDIS support? (New)

Yes, short term accommodation (STA) is included in the 'supports that are NDIS supports' list.

How does STA work? (New)

STA is designed to help informal supports continue their caring role. It is one option that provides participants and their informal supports time apart.

STA allows participants to stay away from their homes and informal supports for a short time. It can be funded for up to 14 days at a time to a maximum of 28 days per calendar year.

STA funding can be used for assistance with self-care or community access and short-term accommodation. It cannot be used to pay for day-to-day living costs such as food and groceries, lifestyle costs or travel.

STA cannot be used to pay for items on the list of non-NDIS supports.

Providers offering STA in a centre or group residence may include meals and activities within the daily rate charged – in line with the NDIS Pricing Arrangements and Price Limits – however these cannot be included if the participant chooses to use STA in an individual setting.

We know there are still some questions about what can be claimed under STA, particularly if you want to use a hotel or other accommodation options. A new operational guideline about STA will be available in December 2024 with more information.

How is STA funded? (New)

STA is funded in a participant's core budget if it relates to their disability support needs, and where it is reasonable and necessary.

It does not need to be stated in a participant's plan.

Participants can access STA as part of the 'assistance with daily life tasks in a group or shared living arrangement' category on the NDIS supports list.

The NDIS funds standard rates for STA, which are available in the [NDIS Pricing Arrangements and Price Limits](#).

Generally funding for STA is for a group price, unless there is evidence that a participant needs individual support.

STA cannot be used to pay for items on the list of non-NDIS supports.

Does STA cover the cost of transport? (New)

Participants cannot use STA funding to pay for transport to the accommodation funded through STA.

If a participant wants to access STA supports far away from their usual home, the cost of the travel is a day-to-day living cost they are expected to pay for separately. Participants should consider this when choosing an STA option that is right for them. Some participants may have funding for transport to an activity or other support already in their plan. If a participant usually needs transport support because of their disability, their provider may include the cost of transport from the accommodation to activities they provide.

Can STA be used for holidays? (New)

No. STA is not for holidays or tourist travel. It is designed to provide participants and their informal supports time apart.

STA cannot be used to pay for items on the list of non-NDIS supports.

NDIS funding can't be used to pay for:

- cruises, holiday packages, holiday accommodation and airfares, passports, visas, or travel and vehicle insurance
- accommodation or travel expenses for family members or support workers
- theme parks, music, theatre, cinema, sporting events, and conferences
- day-to-day living costs such as food or meals. In some cases, your provider may include meals as part of your STA in a centre or group setting. The NDIS funds standard rates for STA, so you may need to negotiate these costs with your provider. Once you have used your STA funding, you can't ask us for more. You can find the rates in the [NDIS Pricing Arrangements and Price Limits](#).

If a participant requires support while on holiday, they can continue to use their usual non-STA supports from their NDIS plan.

Participants should speak with their support coordinator, local area coordinator, early childhood partner or planner if they are going on a holiday and need their NDIS supports delivered in another location.

Is STA available for participants in Supported Independent Living or living alone? (New)

No. This is because if a participant is living alone or in a supported independent living arrangement, they already have time apart from family and informal supports.

General

What will change on 3 October?

For existing participants, key changes include:

- The introduction of a definition of NDIS supports. These are:
 - supports that can be funded by the NDIS and stated by the NDIS rules to be NDIS supports.
- A replacement rule enabling participants to request a substitute or replacement support that is not an NDIS support (in individual circumstances).
- Plans approved after the law comes into effect will have:
 - total funding amounts
 - funding component amounts
 - funding periods.
- This clarifies the amount of funds available in the plan and how long the funds need to last.
- The NDIA can consider changing a plan management type in specific circumstances;
 - For example, where someone needs support to manage and spend their plan funds within the funding amount.

Other changes will happen when new NDIS Rules are made. This includes:

- the creation of new participant pathways
- the new planning framework
- support needs assessment
- budget model and flexible budgets.

What won't be changing on October 3?

We want to reassure participants that for most, there won't be major changes to the way they experience the NDIS right now.

What is not changing is the purpose of the NDIS.

The NDIS will continue to provide participants with disability-related supports.

What is the purpose of the new legislation?

The new legislation aims to:

- Create the scaffolding needed to progress key NDIS Review recommendations in partnership with people with disability and the disability community.
- Clarify the intention of existing legislation to improve the delivery of the Scheme now, reinforcing the original intent of the Scheme.

How will the new legislation affect NDIS participants?

Participants may see changes in:

- how their eligibility is assessed
- the supports that can be funded by the NDIS
- how their plans are managed
- how their funding is allocated and needs to be spent
- requirements for information gathering for eligibility reassessment.

What are NDIS Rules?

The NDIS Rules sit under the NDIS Act and provide details about how the NDIS operates.

States and territories are involved in the approval process for NDIS Rules.

Legislative instruments may be made by the Minister for the NDIS after consulting with affected stakeholders.

Many of the changes to the NDIS will be implemented through new NDIS Rules.

The new NDIS Rules will outline how people can access the NDIS, what assessments are needed, and how budgets will work.

Rules will be developed with people with disability, their families and carers and the disability sector.

What is a transitional rule?

A transitional rule is a rule that the Minister for the NDIS can make within the first 12 months of the legislation being passed, ahead of final rules being agreed with states and territories.

When will the changes take effect?

The new NDIS laws come into effect on 3 October 2024.

Some changes will happen as soon as the laws come into effect. These changes are about returning the NDIS to its original intent.

Other changes will happen later, when new NDIS Rules are made. This includes the creation of new participant pathways and the new planning framework – support needs assessment, budget model and flexible budget.

Will there be consultation on these changes?

The changes were subject to consultation and consideration by the disability community, disability representative and carer organisations, the NDIS Independent Advisory Council, states and territories and the Community Affairs Legislation Committee.

There will continue to be opportunities for consultation to shape how these changes are implemented. Those directly impacted by key decisions about the Scheme will continue to play a key role in developing the detail and in implementing the reforms.

What is the new planning framework?

The new planning framework guides how the NDIS will operate. It explains how people can access the NDIS, how their needs are assessed, and how flexible budgets are created.

Because of changes to the legislation, plans will be built differently in future. This means there will be 2 kinds of NDIS plans.

If your plan was developed through the current planning approach, this will be called an old framework plan.

If your plan is developed using the new assessment model, this will be a new framework plan.

English is not my first language. Will there be translated information about the NDIS legislation?

The NDIA is committed to ensuring all communications on legislative changes are accessible to everyone.

Key information will be translated into 17 languages, including Auslan, to reach as many people as possible.

The NDIA is working with the wider community to test and produce materials in a range of accessible formats including:

- Easy Read
- Auslan
- Braille.

Transition, future changes and co-design

What specific steps is the NDIA taking to ensure a smooth transition?

We are fully committed to ensuring we reach every person - including those who may live in more rural and remote areas or have unique accessibility or language needs.

The NDIA has begun an extensive communications campaign designed to ensure our more than 660,000 participants, as well as their supporters, know what they need to about changes to the NDIS Act.

The NDIA will continue to be clear on what is changing and when, so participants and their supporters can be assured that future changes will be supported with transparency and communication.

How will the NDIA work with the disability community to ensure that the needs and concerns of participants are addressed throughout the implementation of these changes?

It is essential people with disability continue to have a voice in how the detailed design is done and how the changes are implemented.

The NDIA has been delivering reform in partnership with people with disability and the disability community over the past 2 years.

This includes key partnerships with the Disability Representative and Carer Organisations and the Independent Advisory Council.

Throughout July and August this year, the Agency's Co-design Branch delivered 56 activities, including consultation on the legislative changes to come into effect on 3 October 2024.

We have learnt a lot from these activities and continue to improve the way we work together with the disability community.

In June 2024, the NDIA and disability organisations from across Australia shared a commitment to work together on reforms to the Scheme.

Working in partnership with the disability community remains the cornerstone of implementing change as we move forward.

Changes will be supported with transparency and communication.

What if there is a case for a support to get on the list? What do we do?

A NDIS Evidence Advisory Committee (EAC) will be established to provide independent and transparent advice to Government on what works for participants.

The Committee will provide advice on the evidence base for therapeutic supports accessed through the NDIS, improving outcomes and ensuring better value for participants.

This will ensure the supports funded under the Scheme are beneficial, safe, evidence based and cost effective.

The work of the Committee will be an important input into the development of the final NDIS Support Rule which will be developed with the disability community and States and Territories.

What will be co-designed going forward?

New co-design working groups have started meeting and will be steering a range of co-design and engagement activities including future changes to the NDIS as a result of legislative change.

Key measures such as support needs assessments and budget models will be subject to ongoing co-design.

We will keep looking for new ways for people to have a voice and shape the work we do together.

NDIS supports (s10)

What is and is not a NDIS support?

From October 3 2024, the Government has released the lists of what NDIS participants can and cannot spend their funding on.

The lists include items that are NDIS supports and items that are not NDIS supports.

Participants who need specific items for their disability will still be able to access those items through these lists.

These lists are based on existing guidance, so in most cases there is unlikely to be any change to the supports a person is currently using.

There will be a transition period for the first year of the new NDIS supports lists to give participants time to learn and understand.

If you're unsure, there are a few things you can do:

- [read the NDIS Supports list](#) on the Our Guidelines website.
- we'll also be sending a link to all participants
- speak to your Local Area Coordinator, Early Childhood Partner or Support Coordinator
- if you're still unsure, call us on 1800 800 110.

How long will I get to change my supports after the legislation change?

From 3 October 2024 you must use your funding to purchase services, items and equipment that can be funded by the NDIS.

We will work with you to help you understand the new rules and access supports that are NDIS supports.

What if I am delivering supports/ accessing supports that are now on the non NDIS support list?

The Government has released definitions of NDIS supports making it clear what NDIS funds can and cannot be used for. These definitions are based on existing guidance.

Lists of specific items that are allowable NDIS supports and those that are not allowed are on the NDIS website.

If a support is included on the list showing what is not an NDIS Support - it is not allowed to be funded from NDIS plans from 3 October 2024.

There is a transitional rule allowing participants to continue to access supports that are not NDIS supports if they were specifically identified as reasonable and necessary before 3 October 2024, for the duration of their existing plan.

This also includes situations where the Administrative Appeals Tribunal has decided that the support should be funded as a reasonable and necessary support.

This rule does not apply to sexual services, alcohol or drugs. These supports are specified in the primary Act as non-NDIS supports.

NDIS participants will continue to receive the disability-related supports they need. However, the NDIS was not designed to pay for the cost of everyday expenses.

[Find more information on the supports lists](#) .

How can I provide feedback or raise concerns about the changes to my support?

You can contact your local area coordinator, early childhood partner or support coordinator.

You can also [contact us](#).

It is likely that many participants will accidentally or unknowingly use their funding on something not classified as an NDIS support. What will happen to them, will there be a transition period to help people to adjust to the changes?

We know it will take time for people to learn about and understand the new NDIS support lists and we've heard participants' concerns about what may happen if someone accidentally buys something which is not an NDIS support.

That's why there will be a transition period for the first year (12 months) to help people to understand the new NDIS Supports lists.

We will work with participants who make mistakes to make sure that they understand the NDIS supports lists.

What if I make a mistake and accidentally purchase a support that's on the 'out' list?

A person who makes a mistake and claims an item which is not an NDIS support will not have a debt raised for first or second mistakes made in claiming where the support is worth less than \$1,500.

This means the NDIA must contact participants twice to explain what is and is not an NDIS support before any debt of less than \$1,500 is raised against them.

This rule applies to all participants (including participants who self-manage their funding), nominees and child -representative for a 12-month period commencing from 3 October 2024.

For NDIS providers, it applies for 30 days.

This does not apply if a participant purchases illegal items with funding from their plans.

If incorrect claims are repeated or fraudulent, we may take further action.

Firmer actions can include raising a debt or moving the participant onto an Agency-managed plan.

What happens with purchases over \$1500?

In the situation where the cost is above \$1500 the transitional rule does not apply, and a debt will be raised.

However, it is important to note that any debts related to purchases for \$1,500 or more for non-NDIS supports can be written off or waived under the existing provisions of the NDIS Act.

This includes waiver under section 195, which has been updated to allow a debt to be waived in 'special circumstances' if the participant unintentionally or unknowingly breaches the Act, regulations, or rules.

It also allows consideration of the participant's disability as part of a holistic assessment of whether special circumstances exist.

If a debt arises for payments made for non-NDIS supports, it will only be recovered when it is appropriate to do so in line with the Commonwealth policy on debt recovery.

The NDIA will keep using a structured process for debt management, focusing on compliance and audit activities on repeated or intentional non-compliance.

We'll always consider the individual circumstances, with education and support being the first consideration, particularly during the transition period.

This isn't about trying to catch people out - we know participants want to do the right thing.

NDIA 'Safety Net' for debt

The NDIA has put in place a process that means if the Agency was ever to pursue a debt against a participant – the NDIA CEO would need to sign off this decision first.

This safety net is in place to ensure that raising any debt against a participant would be an absolute last resort and such a decision would never be automated, rather it would not proceed without thoughtful consideration at the most senior level of the Agency.

Purchases or provision of supports prior to 3 October 2024

Please note that the new requirement to spend NDIS amounts only on NDIS supports does not apply to any support with a service or purchase date before 3 October.

If people have made a purchase or booking for an item that is not an NDIS support before this date, they can make a claim for any cancellation fee.

This does not apply if a participant purchases illegal items with funding from their plans.

What if evidence from my treating professional states I need a support on the 'out' list?

If you think an item that isn't a NDIS support is better for you, you can ask to substitute that support.

Only some supports can be replaced.

You can only spend your funding on a substitution if we have agreed in writing that you can buy this support.

There are a few criteria that must be met before we can approve this.

The Rules say which types of supports can be replaced.

The substituted support must also:

- replace one or more supports that are NDIS supports
- be the same price or cheaper than the NDIS support it is replacing, and
- be likely to provide the same or better outcomes than the NDIS supports it is replacing.

You can [view the NDIS supports](#) on Our Guidelines website.

What is a replacement support?

In some specific circumstances, we can fund supports that are not NDIS supports.

We call these replacement supports.

When we say replacement support, we mean the service, item or equipment you would like to use instead of the NDIS support or supports in your plan.

Only some supports can be replaced and only if we agree in writing can you buy this support.

A replacement support isn't an extra support. It replaces an existing NDIS support or supports in your plan.

To find out what can be considered as a replacement support, see [What does NDIS fund?](#)

When would a replacement support be requested?

We know that every participant has their own unique needs, and in specific circumstances a participant might need to use their funding for a support that is not a NDIS support.

Participants can ask for a NDIS support to be replaced with certain non-NDIS supports. These are called replacement supports.

This will enable participants to request a replacement of their existing support with a support that is not a NDIS support.

This may occur in circumstances where a standard item might provide better outcomes and cost the same or less than a NDIS Support.

A replacement support may include household items, or very specific items that support a participant's unique accessibility or communication needs.

Replacement supports must be from this pre-approved replacement supports list.

Applications can be made for the items specified below:

- Standard commercially available household items
- Smart watches
- Tablets
- smart phones

- apps for accessibility/communication purposes

For more information about replacement supports including how to apply for them, [see What does NDIS fund?](#)

What's the process for a replacement support?

To get a replacement support approved, the Agency needs to be satisfied the replacement support will provide the same or better outcomes and cost the same or less than another NDIS support that is already in the participant's plan.

Participants must apply for and receive approval of a replacement support before purchasing the support.

It cannot be done after purchasing a non-NDIS support.

Participants can fill out an application for a replacement support on the NDIS website or provide the same information in an email or over the phone.

If your application for a replacement support for an item is not approved, you can't apply for that same replacement support again for 12 months.

Replacement support example

The NDIS is not designed to fund items such as an iPad or Apple watch.

However, should a participant know that they are able to communicate with their loved ones or a worker by using an iPad – rather than a specialist and more costly piece of equipment – then they can request the Agency to fund this.

The NDIA will then consider this request and may well say 'Yes, absolutely that makes sense – so we will fund that on this occasion'.

That's a really clear example of replacing a more expensive item with a better, more cost-effective solution.

This just makes sense.

It's important to note the list of replacement supports won't apply for every participant.

The funding of a replacement support will only benefit some participants, who due to their unique circumstances, are clearly able to demonstrate that a specific item or support, will benefit them and

provide a better, more cost-effective option.

Is there someone I can ask at the NDIA to check that I am doing the right thing?

You can contact your local area coordinator, early childhood partner or support coordinator to help you understand what supports you can buy.

You can also [contact us](#).

How will the NDIA ensure this process is easy and accessible?

We are committed to ensuring that all communications about the Government changes are accessible to everyone.

That's why we are working with the sector and our suppliers to test and produce materials in a range of accessible formats, including Easy Read documents, animations/videos and Auslan.

An important part of our website accessibility is that content can be easily accessed, including for those using screen readers.

We are working with the sector to develop and test messaging and agile approaches to producing accessible content.

Key information will be translated into 17 languages, including Auslan, to reach as many people as possible.

Why is the change to Section 10 of the NDIS Act 2013 necessary?

We have heard consistently, particularly from participants self-managing their supports, that it is not clear what they can spend their funding on.

Making it clear what the NDIS does, and does not, fund will help participants make more informed choices about what they can use their funds for.

The proposed amendments to Section 10 of the NDIS Act enable the creation of new rules (Category A) that outline what is and is not an NDIS support.

It's going to take some time to make a Category A rule. We'll work closely with the disability community and state and territory governments to understand what should and shouldn't be included.

In the interim, the Minister may create a transitional NDIS Supports rule. This will be in place as soon as the instrument is created and will have effect until the new Category A NDIS supports rule is agreed.

Is Short Term Accommodation (STA) an NDIS support? (New)

Yes, short term accommodation (STA) is included in the 'supports that are NDIS supports' list.

How does STA work? (New)

STA is designed to help informal supports continue their caring role. It is one option that provides participants and their informal supports time apart.

STA allows participants to stay away from their homes and informal supports for a short time. It can be funded for up to 14 days at a time to a maximum of 28 days per calendar year.

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If a participant requires support while on holiday, they can continue to use their usual non-STA supports from their NDIS plan.

Participants should speak with their support coordinator, local area coordinator, early childhood partner or planner if they are going on a holiday and need their NDIS supports delivered in another location.

Is STA available for participants in Supported Independent Living or living alone? (New)

No. This is because if a participant is living alone or in a supported independent living arrangement, they already have time apart from family and informal supports.

What are the impacts on individualised living options (ILO) in relation to rent and rental subsidies?

An ILO arrangement should be delivered in line with the [ILO guideline](#) . ILO is a package of supports to help a participant live in their chosen home environment in a way that best suits them. It does not fund the home itself.

An ILO includes an agreed ILO service proposal and is overseen by a provider. An ILO does not include a participant's rent or mortgage payments, or everyday costs like food, electricity or internet bills.

If participants are living with people who offer them support throughout their day or week, and who have ILO funding in their plan and an ILO arrangement in place, the changes to Section 10 in the Amended NDIS Act (NDIS supports) will not impact payments for these supports. The supports provided must be in line with the participant's ILO service proposal

and the ILO Operational Guidelines and [Section 10 requirements for NDIS supports](#) .

The new NDIS transitional rules covering these supports align with existing ILO policy. They aim to ensure participants are not using their NDIS funding to pay for their rental costs and are using their NDIS funding to purchase NDIS supports under an agreed ILO arrangement.

Participants, their families and supporters interested in considering ILO arrangements should contact the NDIS or a local area coordinator for more information.

A new policy on ILO will be developed through co-design and released mid 2025.

Is animal therapy an NDIS support?

Animal-assisted therapy can be an NDIS support - therapeutic support

Animal-assisted therapy is not the same as 'animal therapy'. Animal-assisted therapists may use an animal to play a role in a goal-directed, structured intervention which will assist the therapist and the participant to engage in therapy.

Animals can be used as therapy tools, just like a board game, Lego, or a swing could also be used as a tool in a therapy session.

For example, a psychologist or counsellor may use an animal in therapy sessions to assist a participant to calm, focus or regulate whilst the counselling/psychology session is undertaken.

An occupational therapist may use an animal in therapy sessions to assist a participant to participate in an activity such as walking, standing, balancing etc. In these interventions, the animal may be used by the therapist to help the client meet specific goals but the therapy is delivered to the participant by the allied health professional, with the animal used to support participation.

Animal therapy is not an NDIS support.

Activities which are provided for people to have a positive experience with an animal such as engaging with puppies or riding a horse might be called 'animal therapy' by the provider of the service.

Recreational, sporting or social activities involving animals could also be called animal therapy.

These activities are not animal-assisted therapeutic interventions and are not NDIS Supports, even if the provider of the service is an allied health professional.

What about supports to participate in social and recreational opportunities that include animals?

The NDIA and NDIS acknowledges that NDIS participants may engage in programs that include animals to provide sporting, social and recreational opportunities for people with disabilities, and capacity building support.

This may include for example, participation in horse riding.

If NDIS participants need extra help to participate in horse riding activities because of their disability, the extra help can be funded in their plan.

This extra help could be a support worker or assistive products that help the participant engage in the activity when it is happening.

Participants might also use their therapy supports budget to work with a therapist to build their skills to do the sporting, social or recreational activity more independently in the future.

NDIS participants will still need to pay for the general costs of their sporting, social or recreational activities as these are costs that everyone must pay for these kinds of activities.

For example, everyone who wants an activity delivered to them has to pay for that activity themselves whether or not they have a disability.

This is the same whether the activity includes an animal or not. Participants cannot use their NDIS funding to pay for the costs of other sporting, recreational or social activities like surfing lessons, basketball, art classes or gaming.

The bans on therapy supports like 'gaming therapy' or 'yoga therapy', does that include social group programs which include these strategies?

Noting also that most therapists utilise some type of games in therapy sessions as standard practice, as part of building various skills.

Supports that provide evidence-based therapy to help participants improve or maintain their functional capacity in areas such as language and communication, personal care, mobility and movement, interpersonal interactions, functioning (including psychosocial functioning) and community living are included as NDIS supports. Evidence based therapeutic supports can only be delivered by an allied health professional.

Evidence based therapists may use a variety of tools to play a role in a goal-directed, structured intervention which will assist the therapist and the participant to engage in therapy. This may include board games, online games, Lego or an animal. The therapy is delivered to the participant by the allied health professional and the tool is used to support participation.

What about if my activity is delivered through a disability-specific group or centre-based program?

If your activity is being delivered through a group and centre-based program and the costs of the activity and the support you need are fully covered by the hourly rate charged by the provider in line with the NDIS Pricing Arrangements, you can purchase your group and centre-based program using your NDIS funds.

If your group and centre-based program does not cover the costs of an activity within the hourly rate they charge to support you in that activity then you will need to pay for the cost of the activity yourself.

For example, if your group and centre-based program goes bowling and the cost of bowling is not covered by the approved hourly rate then you need to pay for these costs yourself.

Is Lego therapy included on the out list? Do delegates have clarity about therapy supports and which supports are allowed?

Supports that provide evidence-based therapy, to help participants improve or maintain their functional capacity in areas such as language and communication, personal care, mobility and movement, interpersonal interactions, functioning (including psychosocial functioning) and community living are included as NDIS supports. Evidence-based therapeutic supports can only be delivered by an allied health professional or appropriately qualified professional.

Evidence based therapists may use a variety of tools to play a role in a goal-directed, structured intervention which will assist the therapist and the participant to engage in

therapy. This may include board games, online games, Lego or an animal. The therapy is delivered to the participant by the allied health professional and the tool is used to support participation.

Activities that are delivered without a best quality evidence-base and/or by people who are not appropriately qualified to develop and deliver therapy are not funded as therapeutic supports.

You can find more information about alternative and complementary therapies that are not evidence-based at [What does NDIS fund?](#)

Training on all legislative changes is being delivered to all delegates. Guidance for delegates has also been updated across NDIA systems.

Can NDIS funding be used to purchase pet insurance for assistance animals?

NDIS funding can be used to buy an assistance animal and pay for most of its associated costs when approved by the NDIA.

However, funding cannot be used to pay for pet insurance for an assistance animal. More information about assistance animals is available in [Our Guideline - Assistance animals](#) .

NDIS funding can't be used to buy pets or companion animals, or to pay for any pet or companion animal related costs including:

- Pet food, toys or accessories
- Veterinarian costs
- Pet boarding
- Pet grooming
- Pet insurance
- Taxidermy and pet cremations, burials or funerals.

Is specialised driver training an NDIS support?

The NDIS supports list describes that driver training with a specialised vehicle driving instructor can be funded for eligible participants.

A specialised vehicle driving instructor is someone who has experience and training in providing driving instruction to people with disability and is registered or licensed to be a driving instructor in the relevant State or Territory.

The information available in current operational guidance remains applicable.

[Our Guideline - Vehicle modifications](#) and driving supports describes the range of driver supports that may be funded:

- A driver trained occupational therapist assessment and a driving instructor for the on-road part of the assessment, if a participant plans to drive the vehicle.
- Specialised driving lessons - additional driving lessons where a participant's disability impacts their ability to learn to drive.

Are disability specific bicycles, including electric bicycles, considered an NDIS support? (New)

Yes. Bicycles or tricycles, with or without an electric motor, that include disability specific features, or have been designed to meet the disability specific needs of a participant, are an NDIS support.

This is because they are considered an assistive product for recreation and can be funded if they also meet the 'reasonable and necessary' criteria applied to all NDIS supports.

The costs associated with adapting or modifying a standard bicycle or tricycle to meet a participant's disability specific needs may also be an NDIS support. However, in these circumstances the participant, or their family, would need to self-fund the cost of the bicycle or tricycle that is being adapted or modified.

Standard, non-modified, bicycles or tricycles including electric bicycles are not NDIS supports.

In some specific circumstances, the NDIS may fund supports that are not listed as NDIS supports. These are called replacement supports. Electric bicycles are not considered standard commercially available household items and therefore are not a support for which a replacement can be requested.

Are sexual services an NDIS support?

Under the laws of the NDIS sexual services can't be funded.

Sexual services is not defined in the legislation but is given its ordinary meaning by the NDIA.

Sexual services are taken to include any sexual conduct undertaken with a participant for payment or reward, including direct physical activity between a participant and another person for the purpose of sexual gratification.

This includes all services that may be provided by a sex worker.

The NDIS will continue to provide reasonable and necessary funding to participants to access the disability related supports and services they need.

This includes other sexuality related supports due to a participant's disability, for example adaptive equipment, sex counselling and individualised sexual education supports where reasonable and necessary.

How does the allowable NDIS supports list work?

The list of allowable NDIS supports is not exhaustive, meaning it does not exclude items that are not specifically listed.

The purpose of the list is to clarify the types of supports that fall under the overarching description.

It is important for participants to know that for something to be considered an NDIS support, it must fit within the overarching description provided in schedule 1 (however it does not have to be specifically listed) and of course, must not be included in the non-allowable NDIS supports list.

The NDIS support list includes high intensity daily personal activities, and states that supports must be provided by a worker with additional qualifications and experience. What does this mean?

You should ensure that the people providing your high intensity daily personal activity supports have relevant qualifications and/or training to deliver the support to you safely and appropriately.

The NDIS Quality and Safeguards Commission provides guidance which describes the skills and knowledge that NDIS providers and workers should ensure they have when supporting participants receiving high intensity daily personal activities.

You can find more information about this guidance on the [NDIS Commission website](https://www.ndis.gov.au/quality-safeguards/guidance) .

Budget amounts, components, periods (s33)

When does this apply?

NDIS plans approved after 3 October 2024 will specify a total budget amount for all supports across the length of the plan.

This will not affect current plans. The change will be applied to new plans on approval.

What are funding periods?

Currently participants can access all the funding in their plan at any time.

This can make it hard for participants to budget and can also make them vulnerable.

In the future, for participants with stable support needs, the introduction of funding periods allows for the creation of longer-term plans, for instance 2, 3 or 5 years.

For now, all new plans created after 3 October 2024 will have a funding period of 12 months.

Funding periods define how often a participant can access a portion of their total budget amount or funding component amounts.

This helps avoid plan inflation and manage risk.

Unspent funds will roll-over between funding periods within the same plan.

This approach ensures that support is available as needed over time.

This will make it easier for participants to spend in accordance with their plan.

Participants will know how much funds they have, what amount for what component and how long the funds need to last.

What is total budget amount?

Plans will include a total budget amount showing the total cost of all supports across the length of the plan.

There will be tools available for participants to help manage their budgets.

When the law first comes into effect on 3 October 2024, all funding periods will be 12 months.

From early 2025, shorter funding periods will be available for those who need them.

This will make it easier for participants to spend in accordance with their plan.

They will know how much funds they have, and how long the funds need to last.

Can unused funding be rolled over to the next funding period?

Any unused funding will roll-over between funding periods within a plan.

Unused funding will not roll-over into new plans.

Can funding from a future funding period be brought forward?

Future funding periods cannot be brought forward.

If you are running out of funding due to a change in your circumstances, you can contact the NDIS to request a review of your plan.

Who decides what the funding period will be?

Funding periods will be discussed with participants during the planning process.

They will be determined by a range of factors including:

- personal preference
- frequency and type of supports
- potential risks.

The NDIA will consider funding periods with participants when deciding how their plans funds are managed.

Can participants request a review of a decision about the funding periods and total budget amounts in their plan?

If a participant is not happy with the funding periods and total budget amounts in their plan, they can request an internal review of their plan.

Why is capacity building not flexible with core?

The legislation and legislative instrument state only a small number of things are stated supports. So everything else should be flexible?

The way plans are built and funding allocated across core, capacity building and capital budgets is not changing until the new planning framework commences. This includes no changes to flexibility within and across these budgets.

How will people who are Agency-managed have the same level of support and choice?

How can participants make sure funding components are being utilised as flexibly as possible, especially when we don't have clarity around supported decision-making approaches?

Generally speaking, funding components will act the same as budgets and support categories now, so participants shouldn't experience any changes to how flexible their plans are.

There are no changes regarding access to registered or unregistered providers as a result of the legislation changes.

We will help participants and nominees understand these changes and implement their plans. Participants can continue to access plan implementation support from their My NDIS Contact or, support coordinator, plan manager or other services such as recovery coaches if they are funded in their plan. Plan managers and support coordinators are expected to provide assistance to the participant to understand their funding options and choices.

If the participant needs additional assistance because of their supported decision making needs, they can ask for capacity building funding in their plan.

If participants want to access more flexibility with the ability to choose unregistered providers, they can have a discussion about their plan management type with their planner or local area coordinator.

Each plan can continue to have a mix of plan management types based on an individual participant's needs and preferences.

Training for NDIA staff on supported decision making has been designed and will begin to be delivered from November 2024. This will assist planners to prioritise supported decision making when having discussions with participants.

Can a participant negotiate to 'unstate' a support during planning?

The purpose of stating supports in a participant's plan is to ensure specific disability needs are addressed.

It is therefore not something that would generally be changed in the planning process.

Is there going to be enough flexibility in these arrangements to enable plans to work for people with volatile needs?

It may be about making a best guess with initial funding or a quick turnaround on change requests, but standard approaches for all participants may not apply for this group.

The way plans are built and funding allocated across core, capacity building and capital budgets is not changing until the new planning framework commences. This includes no changes to flexibility within and across these budgets.

Participants will continue to be able to make change requests when their circumstances change. This includes requesting a variation for crisis or emergency funding as a result of a significant change to the participant's support needs.

As well as there being s10 rules around allowable supports in place, will there be any restrictions on choice of registered providers for home and living supports?

The NDIS Provider and Worker Registration Taskforce recently provided advice to the Government on the design and implementation of a new regulatory model.

The Taskforce made 11 recommendations and 10 implementation actions covering provider and worker registration, some of which required an immediate response and others that will be designed with close consultation with the disability community. The Taskforce conducted thorough consultation, and this important process will continue.

The NDIS Quality and Safeguards Commission will progress Rule changes to mandate registration for support coordination, platform providers and SIL. Consultation on these changes will commence shortly. The new Rules will allow for a period of transition to the new mandatory registration arrangements.

Currently, if a participant's plan is Agency-managed, there are some constraints in place, including that they must purchase from registered NDIS providers only.

Under the SDA Rules, SDA providers must also be registered.

Why do supports need to be listed in separate components?

Where is the legislative barrier against combining funding across components?

If it can be done using four categories under core components, then why can't this be applied with other categories?

A funding component amount in a plan might include funding for more than one support category. This means a participant can choose how to spend their funding across all the supports under that funding component amount.

For example, in the same funding component amount we can include any funding for:

- transport
- consumables
- assistance with daily life
- assistance with social, economic and community participation.

Eligibility reassessments (s30/30A)

What is the purpose of an eligibility reassessment? (New)

Eligibility reassessments are not new and are normal practice in the NDIS. They have been a part of the Scheme since the beginning.

The purpose of an eligibility reassessment is to check if a participant's support needs are being met or have changed.

For some participants, their support needs won't change. For others, they may reduce over time.

Reducing support needs over time is the aim of the Early Intervention criteria (section 25).

When we support people early, it can improve outcomes and reduce the need for supports later in life.

How does the eligibility reassessment process work? (New)

We send a letter to a participant (or nominee) to tell them about the eligibility reassessment and that we require information.

The new law means we can ask for other, specific information. This might include:

- a specific type of assessment
- a specific report from an allied health professional.

We understand that it can take time to get this information. That's why the new law allows 90 days to provide it. If the information isn't available in 90 days, the participant (or nominee) can ask for more time.

So far, we haven't asked any participants for specific information. If we do, we will support participants (or their nominee) to understand what we need, why we need it and when we need it by.

If we decide someone isn't eligible or they don't respond to our request within the timeframe, we may revoke their access to the NDIS. This helps ensure that support is accurately targeted to those who need it.

There will also be rules to require mandatory eligibility reassessments, for example when children turn 9.

Is the NDIA doing more eligibility reassessments? (New)

The NDIA received funding to increase its overall staffing in the 2023/24 Budget to better service the growing numbers of participants. This has enabled the Agency to undertake more reassessments.

While the number of eligibility reassessments conducted recently has increased – due to increased staffing and continued work to reduce an existing backlog – the number of participants recommended for reassessment by local area coordination and early childhood partners has remained stable.

Foundational Supports

Do the legislative amendments address foundational supports?

The amendments don't directly address foundational supports, the focus is on strengthening the overall framework of the NDIS.

This includes ensuring that necessary supports are available to participants, which may involve foundational supports being addressed indirectly as part of the broader reforms and improvements to the Scheme.

Access (s21)

What are the changes to access?

New participants will be informed if they meet access to the NDIS by meeting the:

- disability requirements (s.24)
- early intervention requirements (s.25)
- both the disability and early intervention requirements.

In the future, participants will be supported by the appropriate participant pathway, depending on how they meet access.

What will the changes to access mean for participants?

In the future, participants will be supported to have a more tailored planning experience and funding outcomes, depending on how they accessed the NDIS.

The impact of this change will happen later, once new pathways are created.

It will take time to create the new pathways, as we will work together with people with disability on how these can be best implemented to ensure the needs of participants and the Agency are met.

How do the changes impact early intervention?

People who meet access to the NDIS under the early intervention requirements will be supported by the new early intervention pathway once it's created.

Impairment notices (s32BA)

What is an impairment notice?

From 1 January 2025, all new participants will receive an impairment notice when they access the NDIS.

This change recognises people with disability who have the same 'diagnoses' may have different impairments and support needs.

An impairment notice is a document that says you have a permanent disability or significant impairment.

There are 6 impairment categories in the NDIS Act.

Participants will be told which impairment category(s) they meet access for:

- intellectual
- cognitive
- sensory
- neurological
- physical
- psychosocial.

How will impairment notices improve the participant experience?

We will tell you which impairment category, or categories, you meet access for in your impairment notice.

This change means you will have a clear understanding of the impairments you meet access for.

Over time, we will work with all existing participants to make sure they have an impairment notice.

This approach aligns with the disability and early intervention requirements for access, ensuring supports are tailored to the participant's needs.

Participants may have multiple impairments that meet the disability requirements or early intervention requirements.

What happens if participants needs change?

Participants will have a clearer understanding of the impairments they meet access to the NDIS for.

Impairment notices will ensure that the NDIA provides a planning experience and plan funding outcomes which are tailored to each participant's circumstances and disability.

Participants can seek a variation to add or remove impairments at any time after meeting access.

If a participant disagrees with a decision about their impairment(s), they can ask for an independent review.

Support needs assessment (s32L)

What is a support needs assessment?

A support needs assessment will assess a person holistically, looking at all their disability related support needs.

The support needs assessment will be a more person-centered and strength-based approach.

This allows the NDIA to move away from:

- using the concept of primary disability
- a reliance on functional assessments
- deficit-based approaches to understanding support needs.

A support needs assessment will inform a participant's flexible budget and stated supports.

The support needs assessment process will be co-designed with the disability community.

It will only start for new framework plans.

Plan management decisions (s44)

What does the NDIA consider when changing a plan management decision?

When the NDIA decides how plan funds are managed, they will consider if the participant, their nominee or child representative or registered plan manager:

- spent funding on NDIS supports
- spent funding in line with the participant's plan
- presents an unreasonable risk to the participant by managing their funding.

If risks are identified, the NDIA may not support a participant's request to self-manage or use a registered plan manager.

What happens if a participant or their nominee have been convicted of a criminal offence?

The NDIA will consider if the participant or their plan nominee have had any major criminal convictions.

The participant's funding will be Agency-managed if the participant or their nominee have been convicted of an offence that:

- carries at least 2 years of prison
- involves fraud or dishonesty.

This will apply to all new and reassessed plans where a new plan approval decision is being made.

Can a participant appeal a plan management decision implemented by the NDIA?

Participants can appeal a plan management decision.

They should follow the NDIA appeal process, which includes requesting a review and providing any supporting information.

If a participant's plan management type is changed, is the participant notified and given reasons why?

We know how important it is for participants to have the control, independence and flexibility in arranging and paying for their own supports through self-management.

The NDIA will talk to the participant about the risks and safeguards they have considered when making a plan management decision.

Where possible, they will support the participant to work towards their preferred plan management type in the future.

Right to appeal decisions

Will participants have the right to appeal agency decisions that they are not happy with, for example changes to how their plan is managed and the funding periods?

Participants can appeal a decision to approve a plan, which includes how the plan will be managed. They can also appeal a decision relating to funding periods.

They should follow the NDIA appeal process, which includes requesting a review and providing any supporting information.

Can participants still review decisions made by the Agency?

NDIS participants have always and will continue to have the right to review their NDIS package and level of supports.

These legislative changes passed by Parliament do not change that right.

Providers

Do claims need to be submitted within 2 years of support being provided? Is there a grace period?

Claims and payments (s45)

In the future, all claims must be made within 2 years of providing the support.

For the first 12 months the NDIA will honour all claims made for supports provided before the new NDIS law comes into effect on 3 October 2024.

How can providers register for community participation? (New)

Providers can register by visiting the [NDIS Quality and Safeguards Commission](#) website and following the registration process.

More information

If you have more questions about the changes to the NDIS, you can go to the [Department of Social Services website](#) .

Get involved

Join [Participant First](#) for opportunities to get involved.

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