We have an NDIS but what does this mean for disability care?

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The government also announced the name for the new scheme: DisabilityCare Australia. This name reflects the central ambition of the NDIS, which is to ensure that “all Australians with significant or profound disability receive the care and support they need and have choice and control over their care, regardless of how they acquired their disability in the future”.

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But there still appears to be little light about what the NDIS legislation actually means to you as the person with disability, or your family living with your disability, or you as the taxpayer kicking in to support this historic scheme.

What does the legislation cover?

The bill establishes the framework to implement the National Disability Insurance Scheme, including eligibility criteria, age requirements, and what constitutes reasonable and necessary support for people with disability.

The legislation also establishes the **NDIS Launch Transition Agency** which will set up the launch sites. This agency will be independent from the government. The recruitment campaign has already begun and by July, the government aims to have more than 250 staff at the seven launch locations in South Australia, Tasmania, the Hunter in New South Wales and the Barwon area of Victoria.

The agency staff will work with individuals to identify the person’s needs, current levels of support, and their goals and aspirations. This plan forms the basis of the person’s funded NDIS support package, which they can choose to manage themselves or with the help of local agency workers, family or friends.

The first stage of the NDIS — funded to the tune of A$1 billion — aims to provide care and support to around 26,000 people with significant and permanent disabilities, their families and carers. This includes:

- 3,000 people from Newcastle (by July 2018, this number will grow to 140,000 NSW residents)
- 1,500 South Australian children
- 800 young Tasmanians aged 15 to 24
- 4,000 people in the Barwon area of Victoria including the local government areas of the City of Greater Geelong, the Colac-Otway Shire, the Borough of Queenscliffe and the Surf Coast Shire.

The ACT launch site will support 2,500 residents from July 2014.

In the meantime, the Australian government will work with other states and territories — including Queensland and
Western Australia, which are yet to sign up to the scheme — towards agreement to roll out the NDIS across the country.

**Final changes to the bill**

The original NDIS bill was *introduced to parliament* late last year and then referred to a Senate Committee to iron out some flaws. After feedback from people with disabilities, their families, carers and service providers, the bill was amended to:

- Clarify that people who need early intervention therapies and supports including for degenerative conditions, and who are not better supported by another systems such as the health-care system, can get support through the NDIS.

- Clarify that all people who are in the NDIS can choose to stay in the scheme after they turn 65. But if you acquire a disability after you turn 65, you will receive your support services through the aged-care system.

- Change the compensation provisions so the NDIS Launch Transition Agency can conduct legal proceedings on behalf of a person with disability who does not choose to conduct those proceedings.

- Bolster the requirements for representation of people with disability on the NDIS Advisory Council.

**NDIS rules**

Other legislation called the NDIS Rules will set out the details on how the scheme will work. The rules cover how people with disability can apply to the scheme, age and residency requirements, definitions of disability and impairment, and how the agency will determine what supports are reasonable to meet a person’s needs. It will also cover other issues such as the disclosure and protection of personal information.

The government asked for public feedback on the draft rules in a consultation process which ended last week. Views from people with disability, their families, carers and service
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providers will inform the final legislative rules.

**What’s next?**

The broad economics of the scheme and the fine detail of its implementation remain unclear.

The scheme enjoys bipartisan support in principle, but it *is* expensive. The Australian government needs to explain in more detail how the NDIS will be funded beyond its launch in a few locations across Australia.

The lack of an intergovernmental funding agreement between the Australian government and the states and territories, as **recommended by the Productivity Commission**, is also troubling. All the states and territories need to sign up, setting aside their political differences. A unified approach, together with a sustainable revenue source, will provide people with disability more certainty about getting reasonable support over their lifetime.

No doubt the NDIS launch sites will experience glitches as well as show what works for people with disability. The main challenge foremost in everyone’s mind is to make sure that the NDIS funds go directly into the care and support of people with disability.