

Statement from the Australian Physiotherapy Association on NDIS Independent Assessments

The Australian Physiotherapy Association (APA) has significant concerns about the Federal Government's planned changes to the National Disability Insurance Scheme (NDIS), including the use of Independent Assessments (IAs).

The proposed model will not create consistency and equity. The planned changes will impact significantly on how people with disability access the NDIS, and how they will receive essential and necessary supports.

The policy promise to provide people with true choice over the design and delivery of their supports cannot be fulfilled through the blunt IA instrument. This is an approach that locks out the required clinical expertise in making assessments, with potential for trauma for the individual applicant.

Preamble

The introduction of the NDIS has improved the lives of many Australians living with disability.

The APA acknowledges the challenges and complexities in designing services to suit the diverse range of needs of people with disability. The reform is unprecedented in scale and scope and while the full operation of the NDIS represents a major milestone, this is not the Scheme that was promised to Australians to ensure access to the support they need.

The NDIS promised to help many Australians living with disabilities – delivering disability services differently with more choice and control for participants towards using individualised funding and self-directed supports. It is clear from the significant shifts of the past few years – under the guise of reform – that the Scheme has fallen well short on its promise.

The National Disability Insurance Agency (NDIA) has failed to meaningfully engage with people with disabilities, participants, their families and carers, and the wider disability sector.

Currently, people entering the NDIS need to get reports from multiple health providers of their choosing to assess their NDIS eligibility. The proposed mandatory independent assessments would be conducted by NDIS-appointed healthcare professionals using standardised tools in the plan review process, which determines participants' NDIS supports and budget.

The concerns expressed across the disability sector is that it is very difficult to assess a person's full support needs based on a brief interview that is based on capacity, not disability. The IA is seen as a 'test' that has to be passed, and will be used as a cost cutting measure to reduce the number of people in the Scheme.

This proposal will have far-reaching consequences for the almost 450,000 people participating in the NDIS. It represents the largest change to the Scheme since its introduction, and therefore warrants closer policy attention to the lessons learnt elsewhere, particularly where similar policy experiments have failed. There is a need to evaluate a range of solutions before proceeding.

Recommendations

The APA calls on the Australian Government to take the necessary steps to uphold the values of the NDIS, as promised.

The proposed model lacks empathy in policy design. It does not value people with disability as partners in shared dialogue. It weakens hard-earned trust by excluding existing providers. This change represents significant reform by reducing choice and control, with potential for harm. More evidence is required to justify its introduction. This will only serve to create inequalities between groups of people with disability.

The APA recommends that the Government:

1. Immediately ceases the implementation of IA until a valid and independent study can be carried out to assess the risks of such measures.
2. Further that the Government **directs the NDIA** to:
 - Work in partnership with people with disability and move to a co-design approach from the outset in developing reforms.
 - Evaluate a range of solutions before proceeding including the similar failed policy experiments undertaken elsewhere to avoid unintended policy harm and in pre-empting future challenges.
 - Consider the alternative model put forward by Professor Bruce Bonyhady AM in his Submission to the NDIA Consultation.

Professor Bonyhady's proposed model – *An Alternative Fair Way Forward*¹, provides the policy essentials to ensure a valid, equitable and consistent assessment model that is more in keeping to the original Scheme design. This model would ensure the Government delivers the NDIS as promised to Australians with disability.

Position summary

The APA questions the clinical competency and independence of the assessors sourced from a pool of NDIS-appointed healthcare professionals using standardised tools to make safe, fair and clinically relevant assessments.

There are inherent risks in an approach that sees sole assessor practitioners making assessments on physical functioning without specific disability knowledge or experience. The current requirement for allied health professionals to be qualified and to have a minimum of 12 months full-time clinical experience is grossly inadequate and cannot possibly ensure assessors hold adequate experience or the depth of clinical expertise required.

The APA supports the need for providers in the Scheme to have rigorous quality control and governance mechanisms implemented within their practice. This is vital to ensure that professional standards are maintained, risks for providers and participants are identified and reduced, and that sustainable and ethical mechanisms underpin the management of the Scheme.

This requirement would extend to the implementation of Independent Assessors. The Government must ensure that, should an independent assessment process be implemented, that assessors are required to be appropriately skilled to complete the assessments, have identified experience within the sector, and have quality and governance mechanisms in place specifically aimed at reducing risk to participants. As a minimum, they should be required to meet the practice standards of registration, as controlled by the NDIS Quality and Safeguards Commission (NQSC).

The APA categorically and unanimously rejects the assertion that these proposed independent assessments can be implemented safely regardless of whom is completing them. The APA calls on the Government to halt their implementation and consider an alternative model.

The APA welcomes the opportunity to engage with the NDIA on a reworked evidence-based assessment and assessor framework that is co-designed with people with disability.

ⁱ Bonyhady B. 'An analysis of the NDIA's proposed approach to Independent Assessments. A response to the NDIA Consultation. *The University of Melbourne. Melbourne Disability Institute*. February 2021.