



NCOSS SUMMARY Highlights of the Productivity Commission Disability Care and Support Report

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On Wednesday 10 August, the Australian Government released the final Report of the Productivity Commission Inquiry into Disability Care and Support, recommending the establishment of a National Disability Insurance Scheme NDIS and a National Injury Insurance Scheme NIIS.

The Australian Government has announced an allocation of \$10 million towards initial technical work to establish the NDIS and will recommend that COAG establishes the Select Council for Disability Reform to progress these reforms. The Select Council will be chaired by the Federal Treasurer and Federal Disability Minister, with State and Territory Treasurers, and State and Territory Disability Ministers. The Select Council will be supported by an Advisory Group to be led by Dr Jeff Harmer AO, and the Commonwealth will nominate highly regarded national disability advocates Mr Bruce Bonyhady AM and Dr Rhonda Galbally AO to this Group.

The Productivity Commission Report is extremely detailed and provides recommendations for both the NDIS and the NIIS on governance, funding sources, eligibility, participation, scope, accountability, operations, coverage, services, quality, tax and income implications, connections with other sectors (such as health, housing and education etc) and implementation. Some recommendations also include a number of alternative but inferior options.

Some of the key features of the Report include:

- The present disability support system is underfunded, unfair, fragmented, inefficient and provides little choice and no certainty. This situation is only getting worse.
- There should be a National Disability Insurance Scheme NDIS that provides insurance cover to all Australians in the event of a significant disability. Funding of the NDIS would be a core function of government.
- The NDIS would have 3 main functions:
 - Minimise the impact of disability, maximise the social and economic participation of people with disability, create community awareness, facilitate capacity building;
 - Provide information and referral services;
 - Provide individually tailored support (individualised package) to people with significant disability who are assessed as needing such support (excluding people covered by the NIIS).
- People receiving support through the NDIS should have a disability that is or is likely to be permanent and:
 - Have significantly reduced functioning in self-care, communication or mobility or self-management and require significant ongoing support (this includes people with intellectual disability and includes some people with brain injuries and people with significant and enduring psychiatric disabilities), or
 - Be in an early intervention group.

- People receiving funded support would receive an individualised package and can opt for a self-directed arrangement where the person with disability directs the supports required and takes control of the funding.
- A person in receipt of an NDIS individualised package who reaches Aged Pension age can choose to stay with NDIS service arrangements or move to the aged care system.
- The NDIS would be best overseen by a single agency – the National Disability Insurance Agency NDIA, which would act as assessor and funder but not provider of care and support.
- The NDIS would cover all Australians, permanent residents and asylum seekers.
- The NDIS does not replace the responsibility of mainstream sectors to respond to the needs of people with disability as they must for others. Consequently, the Report recommends that Memoranda of Understanding be put into place with the health, mental health, aged and palliative care sectors as well as with the housing, education, transport and employment sectors.
- Advocacy would be funded outside the NDIS. This means that a person with disability would not have to use money from their individualised package to purchase advocacy support. They could approach an independently funded advocacy service.
- Special arrangements for cerebral palsy: the NDIS should fund all cases associated with pregnancy or birth that meet eligibility criteria.
- The NDIS reforms the delivery of prosthetics, providing nationally consistent funding, timing, eligibility and co-contributions for upgrades.
- The NDIS requires no income or assets test or front end deductible.
- The Report recommends a Review of the Disability Support Pension into how to align it to the social and economic goals of the NDIS.
- The NDIS allows for the carer to be included in the assessment process where necessary and for the individual package of the person with disability to take account of the carer's needs.
- The legislation establishing the National Disability Insurance Agency should create an *Office of the Inspector-General* that will hear complaints, review & alter contested decisions, oversee quality assurance.
- The Report makes a raft of recommendations surrounding the Indigenous community that provide for early intervention initiatives, block funding suitable providers, fostering smaller community-based operations, employing Indigenous staff, developing cultural competency, innovative flexible and local problem solving, addressing provision in remote areas, improved advocacy, diffusing successful approaches.
- The Report recommends that the Australian Government be the single funder of the NDIS via direct payments from consolidated revenue using an agreed formula entrenched in legislation. Other funding options include a levy from personal income or a tax rate premium.
- Workforce recommendations included the development of workforce strategies, safeguards, informal cares and support, amending the Fair Work Act to allow for flexible leave for parents with care responsibilities for adults with disability.

- Recommendations on the National Injury Insurance Scheme (NIIS) include: the development of a national framework which captures the schemes of the states and territories; sources of funding; the lifetime care and support of people with cerebral palsy; medical indemnity cover; governance by a secretariat; claims mechanism; an independent review in 2020 considering a number of issues, including merging the NIIS and the NDIS.
- Timeframes:
 - Regional roll-out in several states and territories starting July 2014
 - Full national coverage for some high priority groups in 2015-16
 - Progressive coverage of all groups in subsequent years, with a fully operational scheme by 2018-19.