



**Submission to the Consultation on draft lists of NDIS
Supports - Discussion paper**

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Contents

Who is the Assistive Technology Suppliers Australia?	3
Comments.....	5
Responses to consultation questions	5
Conclusion.....	8

Who is the Assistive Technology Suppliers Australia?

ATSA is a national organisation representing assistive technology suppliers, including manufacturers, importers, distributors, retailers, tradespeople and technicians.

Our 170 members comprise businesses and not-for-profit organizations' and range from small family-owned concerns to multinational organisations throughout Australia. It is estimated that, excluding AT for communication and sensory disabilities, approximately 80% of the AT in Australia passes through the hands of ATSA members.

ATSA is a registered not-for-profit charity with the Australian Charities and Not for Profits Commission (ACNC) and requires its members to adhere to a comprehensive Code of Practice on the provision, sales and servicing of AT. We are also a member of the Australian Ethical Health Alliance.

The objects of ATSA are

- (a) funding and promoting:
 - i) research into Assistive Technology.
 - ii) the education of the public as to the availability of Assistive Technology to meet the needs of persons with a disability;
 - iii) "Best practice" in the way Assistive Technology is supplied; and
 - iv) community accessible Assistive Technology events;
- (b) giving the Assistive Technology users and suppliers a voice that:
 - i) provides positive influence on Government policy;
 - ii) educates Governments and other stake holders about Assistive Technology;
 - iii) promotes a robust competitive and commercially viable marketplace with the aim that Assistive Technology is available to users at a reasonable cost;
 - iv) advocates to achieve excellence, quality, value and positive outcomes for suppliers, Assistive Technology users, stakeholders and the broader community;
 - v) works with governments at all levels to ensure the viability of the Assistive Technology industry for the sake of those who use Assistive Technology; and
 - vi) delivers quality and value in Assistive Technology solutions for people with a disability and their carers;
- (c) improving the quality of Assistive Technology provision by:
 - i) supporting the ongoing training and education of health care professionals;
 - ii) promoting ethical business practices that safeguard the interests of users of Assistive Technology;
 - iii) participating in the development of appropriate and cost-effective product standards; and
 - iv) maintaining and enhancing services standards, quality and reputation of the Members for the collective mutual benefit and interests of the Members and the public;
- (d) developing alliances with all industry stakeholders to:
 - i) drive continued improvement in outcomes for Assistive Technology users;
 - ii) minimise the total lifetime costs of Assistive Technology on society and Assistive Technology users;
 - iii) ensure an open, fair and competitive market; and
 - iv) promote the services, activities and events of the Company; and

undertaking such other actions or activities that are necessary, incidental or conducive to advance this Object.

Recommendations

Recommendation Question 1

The Draft list does not cover the full list of supports required under the NDIS. Additionally, the categories and descriptions that have been provided have left many gaps in assistive technology. Examples of these are provided in pp5-6 of this response. ATSA recommends that there is clarity on supports such that if a support is NOT listed on the exclusion list, it is able to be funded.

Recommendation Question 2

Agreement on funding between federal and state governments should be in place prior to home modifications to public housing being excluded from the NDIS list.

Additionally, the use of AT in a person's home for educational purposes should not be excluded.

Recommendation Question 3.

It is not clear as to what assistive technology would be included in the proposed categories. Is the AT list in this paper meant to be the list or just examples? If the latter, this needs to be stated.

The support list that has been provided does not appear to align with any other existing standards relating to AT (AS/NZ ISO 9999.1:2023), World Health Organisation documentation on AT ([WHO EMP PHI 2016.01 eng.pdf](#)) or work undertaken by other government departments such as the Department of Health and Ageing. ATSA Recommends that the support list aligns with these recognised standards.

Introductory Comments

Thank you for providing ATSA with an opportunity to submit feedback on the draft lists of NDIS supports. Regrettably, the short timeframe provided for input on the lists has prevented us from meaningfully engaging with members and AT users to understand their views, concerns and suggestions for change. As such, this submission does not reflect the full range of concerns that may be held by ATSA members and AT users. We would value a further opportunity to properly engage with our members and other stakeholders and consolidate their feedback on the inclusions and exclusions included in the lists.

We note that of the 36 Categories of supports listed, ATSA members hold specific subject matter expertise on the following:

- Assistive Equipment for Recreation
- Assistive Products for Personal Care and Safety
- Assistive Products for Household Tasks
- Communication And Information Equipment
- Customised Prosthetics (includes Orthotics)
- Disability-Related Health Supports
- Hearing Equipment
- Home Modification Design and Construction
- Personal Mobility Equipment
- Specialised Driver Training
- Vehicle Modifications
- Vision Equipment.

In consideration of the above, we can see significant value in ATSA having the opportunity to work more directly with the Department to help refine its approach to the funding and provision of assistive technology under the NDIS as new lists are being developed.

Responses to Consultation Questions

Question 1.

Do you think the draft list of NDIS Supports covers the kinds of disability supports you think should be included? If not, what changes would you suggest?

No:

- The list of inclusions must reflect the range of AT-related products listed underneath *AS/NZ ISO 9999.1:2023 – Assistive Products*.

- The list of inclusions must also encompass the critical wrap-around services that are needed to facilitate the effective prescription, supply, use and maintenance of AT-related products. These services include:
 - Skilled assessment and referral
 - Equipment trials, demonstration and loan
 - Procurement and customisation
 - Delivery and setup
 - Training in the use of the aid or piece of equipment
 - Maintenance, review and repair

- We are concerned that there are a range of critical AT-related devices that are not currently referenced underneath any of the 36 categories, which may create some confusion for participants accessing the lists. These include but are not limited to:
 - Aids to support medication management.
 - Eating aids, such as adapted cutlery and robotic feeding devices
 - Personal safety alarms
 - Software and hardware designed to support people with memory loss, neuro degenerative conditions or intellectual disability.
 - Supports such as gait trainers, strollers, bikes and trikes and supported lying and positioning equipment.
 - Exoskeletons to support mobility.

- In regard to Specialised Driver Training, there is also no reference to assessments or specialised training for people with an intellectual disability or cognitive impairment.

Question 2. Are there goods or services on the draft exclusion list that you think shouldn't be there? If yes, please list in order of importance.

Yes:

- The following is listed as an exclusion underneath the '*Home Modification Design and Construction*' support category:
"Design and subsequent changes or modifications to state or territory owned public housing."
 Including this in the list of exclusions is likely to result in some people falling through the cracks. While state and territory housing authorities are currently required to make reasonable adjustments to make a property more accessible, the NDIS has historically

had the capacity to support participants with highly specialised or high-cost modifications.¹ We understand that these lists will eventually be replaced by a new rule that is yet to be developed and will need to be agreed by all state and territory governments. As this is likely to take quite some time, it is critical that participants are still able to access funding for highly specialised or high-cost modifications to state and territory owned public housing in the meantime.

- The following is listed as an exclusion underneath the area of education:
"Aids and equipment for educational purposes (e.g. modified computer hardware, education software, braille textbooks)"
A student will typically require access to assistive technology in the home environment to enable them to complete homework and other education-related tasks. At present, this is not funded by all state and territory education departments. This must be clearly stated as a carve out under the lists.
- The following is listed as an exclusion underneath the area of employment:
"Work-specific aids and equipment required to perform a job (including modified hardware and software)".
Assistive technology that is required in the workplace is currently able to be provided through the Employment Assistance Fund. This pathway does not consistently provide funding for assistive technology that may be needed to help a person with disability develop job readiness skills and secure employment. Assistive technology is also not explicitly referenced underneath the 'Assistance to Access and Maintain Employment or higher education' support category. We would like to see assistive technology explicitly referenced underneath this category to avoid any confusion and ensure people with disability are able to consistently access the support they need.

There are also instances where an individual may not be able to access assistive technology through the Employment Assistance Fund. For example, where they:

- Are undertaking a time-limited internship or engaging in work placement activities that are not expected to continue for more than 13 weeks.
- Are working less than 8 hours per week.
- Are self-employed but have worked less than 8 hours per week over the past 13 weeks and have earned an hourly income that is less than the National Minimum Wage.²

While there may be some exemptions to the above, these are considered on a case-by case basis. It is therefore critical for the lists to include specific carve outs to ensure any policy gaps are properly addressed; particularly noting that there are some cohorts, such as some people with acquired brain injury, who may need to commence work in a role where they are working less than 8 hours per week and slowly increase their employment participation over time.

Question 3. Do you have any further feedback or concerns with the draft NDIS support lists?

It is our understanding that these lists are intended to provide greater clarity and guidance around the supports that can and cannot be funded under the scheme, and

that the supports listed underneath each of the 36 categories are examples only. We understand this to mean that if a particular support is not listed as an exclusion, it is still able to be considered. We would like to see the wording updated to make this point clearer.

Conclusion

While we have made every effort to provide comprehensive feedback on the draft lists in the short timeframe provided, we feel that it is imperative for our members to be given an opportunity to meaningfully input into this process. As such, we look forward to continuing to work with the Department to refine its approach to assistive technology into the future.

¹ National Disability Insurance Agency (2024) *Should the home modification be funded or provided by another service?*, accessed 21 August 2024, retrieved from <https://ourguidelines.ndis.gov.au/supports-you-can-access-menu/home-and-living-supports/home-modifications/what-home-modifications-do-we-fund/should-home-modification-be-funded-or-provided-another-service>.

² Commonwealth Department of Social Services (2024) *Employment Assistance Fund Guidelines*, Version 3.10, P4.-5.