

# Submission to Consultation on draft lists of NDIS supports



11 August 2024

## On the way these lists are formatted and written:

It is completely unacceptable that these lists have been presented in such a way. They are confusing - eg why use the expression 'carve outs' when this is not plain english?

Everything is listed in registration groups, rather than support categories.

## Overall response:

Disabilities are complex and individual. What is a disability support for one person may not be for another. Putting poorly worded lists without clarifying examples and language into legislation is going to create more confusion and cost.

Lists are a blunt and ineffective tool for enabling the value-for-money innovations and products and supports which ultimately help make the NDIS sustainable. The alternative of so many things excluded from this list looks like a support worker. A support worker can be an expensive alternative to an everyday product used as a disability support that enables independence. A support worker can be an intrusion and added burden. A support worker can be a solution lacking efficacy to a certain disability related barrier. This makes absolutely no sense. I thought we were trying to make the NDIS sustainable?

The NDIS is based on social insurance principles. These are preventative measures to reduce future cost.

Legislation should focus on clarifying the concept of reasonable and necessary without removing the possibility of present and future value-for-money and entirely sensible disability supports. Such clarification was recommended by the NDIS Review.

This could be achieved by a statement such as "Anything needed due to disability that you would not otherwise purchase, and is not funded by another government body, is illegal or will hurt you or others." This would enable Participants to spend the money already allocated in ways that make sense to them.

It could be achieved by having a sensible list of things that are excluded: illegal activities, gambling (different to gaming or gaming therapies), illegal products and substances.

## Response to the lists:

### Restriction imposed by term 'specialist products'

Remove the use of the term "specialist product" and just use "product". There are many everyday products that are a brilliant and simple disability related support, are straightforward to purchase, can be purchased immediately (no waiting lists) and therefore provide immediate benefit, and most importantly are cheaper.

Six examples are:

1. **Period underwear** is an example.
2. There are cases that have AAT rulings where **false nails** have been found to be disability related prosthetics.
3. There are many disability related reasons why a Participant may benefit from a **smart watch**. They are far cheaper than alternatives over a lifetime, help facilitate independence through a more societally normative option.
4. **Trampolines**. My brother purchased a trampoline prior to the NDIS and for entirely disability related reasons. It continues to be an extremely effective disability related support preventing behaviour challenges a number of times each day. The safety issues can be dealt with as other high risk AT processes.
5. **Washing machines**. For someone who continually soils themselves, a washing machine could make a very effective disability related support AND value for money.
6. **Sex toys**. Sexual pleasure and relationships could be restricted because function is restricted. A sex toy could be an everyday product or a specialised product that addresses this like any other consumable or piece of AT. Excluding sex toys is infantilising and demoralising - I thought we had grown beyond such views in an insurance scheme. Any quick research shows how this will have far reaching negative impact for Participants. For example - Cock rings are put on the base of the penis when erect and assist in keeping the blood in the penis, maintaining a longer erection. This is useful for people experiencing Erectile Dysfunction (ED) due to degenerative conditions such as Multiple Sclerosis.

### Examples of restrictions in definitions which will exclude people or kinds of supports

"Carve out" under Mainstream Health

"Jointly with other parties, provision of specialist allied health, rehabilitation and other therapy, jointly with health services, to facilitate enhanced functioning and community

re-integration of people with recently acquired severe conditions such as newly acquired spinal cord and severe acquired brain injury.”

Why restrict this to people with severe conditions and what is the definition of severe conditions. Might not any Participant need joint services to facilitate enhanced functioning and re-integration? Again this makes no sense from a long-term cost offset perspective.

### Specialised Driver Training

There are many instances where a person with disability requires different disability related support than just adapted equipment or vehicle modification.

If you are autistic, for example, you may require additional time, adaptations in learning materials or method of teaching (eg visual aids).

### Therapeutic Supports

The description should not just use the word “improve”. It should include prevention and mitigation at a minimum.

Section 14 of SDA eligibility provides the wording that could be utilised.

### Short term accommodation

Why restrict STA to group homes? This also makes absolutely no sense in an insurance scheme. This is not the only way that STA has been used to meet disability related needs.

Someone with an intellectual disability who cannot conceptualise what it means to live away from their parents is a very good example. No amount of asking questions and using visual aids or visiting places for a short time is going to assist many people make decisions about their home and living supports. Planning a model of support and living arrangement and then having an opportunity to try it out is a very cost effective, outcome focussed disability support. It allows all team members, the individual and family to note where safety issues and risks present themselves and plan for better long arrangements.

### Sex work and toys

Sex workers and sex toys may be entirely valid disability supports. For some people, paying for sexual services may fulfil short term goals about learning more about sexual enjoyment, their bodies and others, how to explicitly give and gain consent, or increase their confidence and skills in being able to start dating. It may be the case that, in some situations, access to sex workers will provide the only way to achieve this equality for the majority of their lives.

## Hair and beauty services

Similarly this everyday service can be a disability related support and a very effective, value-for-money one - only need to do a simple comparison cost of doing this very dignified thing and the additional benefits to booking a support worker. If someone needs specialised equipment that they can get at the hairdresser, the alternative is full shower and personal care support at home ending up making it a barrier to many people.

Many people with disabilities are unable to tend to their pubic hair. For many, that means either going to a dedicated hair removal salon 3 or 4 times a year for waxing / laser / IPL. Again while an upfront cost there are so many more benefits to this than the provision of a support worker. One of these has a link to the prevention of abuse - having the job done by a trained professional in a purpose built professional setting does not carry nearly the same risk of harm.

## Expand wording “training of support workers”

There are a number of instances where only ‘training of support workers’ is mentioned as a NDIS support. This should be expanded to include unpaid carers and family members. The training of us in a new kind of support method or use of a product, device etc is essential to the effectiveness of that method, product or service. Without it, the time taken to see benefit is likely to extend again increasing cost.

## Household tasks - Description

1. Include pool maintenance alongside house and yard maintenance. A participant owns his home and lived in it long before the NDIS. It has a pool. He cannot maintain his pool because of his disability, just like he has a lawn and can't maintain that.
2. Clarification needed over “General repairs” and “maintenance”. Repairs can be part of the act of maintenance. General repairs are excluded.

## Other services which could be disability related supports for some people

These kinds of supports could provide excellent outcomes and value for money solutions to disability related barriers and should be removed from the excluded list:

1. Business development costs, business skills development costs - this will stop Participants with social and economic participation goals related to developing a micro business like my brother. He produces and sells a soil enricher made from coffee grounds. He will not be eligible for DES supports. He needs to learn skills that a support worker is not qualified to teach. He cannot speak so he requires support to find sales outlets and suppliers.

2. Career coach - this will also stop Participants with social and economic participation goals. Why restrict purchasing a service from a more experienced mentor with your disability or functional limitation in pathways and planning that will help a Participant maintain work?
3. Dating or relationship services
4. Marriage and relationship counselling
5. Babysitting or nannying services, au pairs
6. Transport between education or training activities
7. Transport within work activities
8. Paying rent and/or utilities for a housemate in exchange for support saves thousands of dollars in paid support and has even greater returns in terms of building community. This is how my brother lives. The NDIS already funds this kind of support. It is called Individualised Living Options.