

National Disability Insurance Scheme

**2022-23
Annual Pricing Review**

Consultation Paper

March 2023



Delivered by the
National Disability
Insurance Agency

Acknowledgement

The NDIA acknowledges and pays respect to the past, present and future Traditional Custodians and Elders of this nation and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

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The National Disability Insurance Agency expects that you will only use the information in this document to benefit people with disability.

Terms that we use

Acronym	Meaning
ABS	Australian Bureau of Statistics
APR	Annual Pricing Review
CPI	Consumer Price Index
DSW	Disability Support Worker
FWC	Fair Work Commission
NDIA or Agency	National Disability Insurance Agency
NDIS or Scheme	National Disability Insurance Scheme
NDIS Commission	National Disability Insurance Scheme Quality and Safeguards Commission
SCHADS Award	<i>Social, Community, Home Care And Disability Services Industry Award 2010</i>
SDA	Specialist Disability Accommodation
SIL	Supported Independent Living
WPI	Wage Price Index

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1 Purpose of this Consultation Paper

The National Disability Insurance Agency (NDIA or Agency) administers the National Disability Insurance Scheme (NDIS or Scheme), which was established to:

- support people with disability to pursue their goals
- help them to realise their full potential
- assist them to participate in and contribute to society
- empower them to exercise choice and control over their lives and futures.

Every NDIS participant has an individual plan that lists their desired outcomes, the supports they will use and the funding they have received.

Providers are one of the main contact points for NDIS participants. Providers are an important part of the NDIS, delivering supports and services that help participants pursue their goals.

The NDIA continually monitors and reviews its price control framework and other market settings to determine whether they are still appropriate. This Annual Pricing Review (APR) is an important part of that monitoring and review process.

As market steward, the NDIA has a role in creating an efficient and sustainable marketplace through a diverse and competitive range of suppliers, who can meet the structural changes created by a consumer-driven market.

As market steward the NDIA has responsibility for:

- empowering people supported by the NDIS to exercise choice and control
- maintaining and expanding the supply of high-quality disability supports
- driving efficiency and innovation in the market for those supports
- supporting the transition of the NDIS over the longer term to a more deregulated outcomes-based approach.

As part of its administration of the Scheme and its role as market steward for the developing markets for disability goods and services, the NDIA regulates the commercial relationships between providers and participants, including through price regulation. The price control arrangements apply to all supports purchased by Agency-managed and plan-managed participants. They do not apply to self-managed participants.

Of the \$8.4 billion in payments in the second quarter of 2022–23, 49% was managed by a plan manager (\$4.1 billion), and 39 per cent was Agency-managed (\$3.2 billion). About 12 per cent was self-managed (\$1.0 billion).¹

The current Pricing Arrangements and Price Limits are set in accordance with the NDIS Pricing Strategy, which reflects the current situation of inefficient supply and growing demand.² The key principles underlying the pricing arrangements are to:

¹ NDIA. (2023). *NDIS [Report to disability ministers for Q2 of Y10 Full Report](#)*, 31 December 2022, p.91.

² NDIA. (2019). [NDIS Pricing Strategy](#)

- provide value for money for participants
- deliver fair and consistent participant outcomes
- support sustainable NDIS market growth
- promote the delivery of high-quality innovative supports.

The pricing arrangements and price limits aim to maintain and increase market supply, and help markets grow to a more mature state in the future, while recognising the need for financial sustainability.

2 Your feedback is important

The 2022-23 Annual Pricing Review (APR) commenced in November 2022 and will deliver updates and recommendations to the NDIA Board. Implementation of changes will occur from 1 July 2023 after the Minimum Wage Decision is released by the Fair Work Commission (FWC) in June 2023.

This Consultation Paper is intended to assist you to prepare a submission to the APR. There are guiding questions listed in this paper—you can choose to comment on all or just some of these guiding questions.

We encourage submissions from everyone including advocacy groups, carers, employees, government, participants/nominees, plan managers, professional bodies, providers, provider peak bodies, researchers as well as workers' unions.

The guiding questions are thematically aligned with the scope of this APR and are specifically related to individual supports. There are also common guiding questions on factors that apply to all types of supports within the APR scope.

The NDIA is aware that similar guiding questions have been asked in the past. You are not obligated to reiterate what you have said previously as this feedback will again be taken into consideration.

Acknowledging the time constraints you face, as well as the more defined scope of the current APR, the NDIA is seeking feedback on changes that have occurred since the last APR only. High level findings from the previous APR are summarised in this paper.

Any feedback received from this consultation that is out of scope and aligned to the NDIS Review will be shared with the NDIS Review team to minimise any consultation duplication.

Any information that you consider to be of a confidential nature should be clearly marked or identified as confidential. The NDIA will not disclose confidential information to third parties without first providing you with notice of its intention to do so, such as where it is compelled to do so by law.

Submissions on this Consultation Paper can be lodged via email to apr@ndis.gov.au and close at 11:59pm AEST Thursday 13 April 2023.

3 A snapshot of the National Disability Insurance Scheme

The NDIS has been in operation for nine years. On 30 June 2016, the Scheme included 29,719 participants. As of the 31 December 2022, the Scheme had grown to include 573,342 participants.

Total payments have increased over the last three years, from \$10.5 billion in the year to 30 June 2019 to \$28.6 billion in the year to 30 June 2022. The payments in the 6 months to 31 December 2022 were \$16.8 billion.

The average payment for years ending 31 December for all participants have increased from \$47,800 in 2019 to \$57,600 in 2022, reflecting a 6.4% increase per annum.

Average payments are much higher for participants in Supported Independent Living (SIL) than those not in SIL—\$357,300 versus \$41,000 respectively, in the year to 31 December 2022.

Average payments are also higher for adults compared with children—\$64,400 for participants not in SIL aged 25 to 64 versus \$18,900 for those aged 0 to 14 years, in the year to 31 December 2022.

Support totalling \$31 billion has been provided in the 12 months to 31 December 2022. The largest support categories by expenditure are:

- 54% (\$16.7 billion) on core daily activities, which includes Supported Independent Living (SIL)
- 20% (\$6.1 billion) on social and community participation
- 13% (\$3.9 billion) on capacity building daily activities (therapy services).

4 Scope of the 2022-23 APR

The APR will combine targeted research with public submissions from participants, providers, the broader community and government stakeholders to examine whether the Scheme's existing price control framework continues to be appropriate or should be modified.

In particular, the APR will:

- Examine options to simplify, where possible, the NDIS price control framework to better support participants to exercise choice and control; and to reduce as far as possible, the regulatory burden the pricing arrangements impose on participants and providers.
- Review the pricing arrangements and price limits by reviewing the supports delivered by disability support workers.
 - This will be achieved by examining the ongoing appropriateness of the methodology and parameters used in the NDIS Cost Model for Disability Support Worker, with a particular emphasis on the Temporary Loading of 2.0% and the impact of the changes that were made to the Social, Community, Home

Care and Disability Services Award 2010 in 2022 (AM2018/26). The cost model is a consideration for the APR recommendations.

- Review the pricing arrangements for support coordination and plan management to encourage innovation, improve the quality of services and ensure value for money.
- Review the pricing arrangements for therapy and nursing supports to ensure participants receive value for money and providers are improving the quality of their services and increasing service delivery efficiency.

5 Contextual factors

5.1 The Australian economy

Over the past year, the Australian economy has seen price increases in the cost of essential goods and services, such as housing, groceries, utilities and petrol. The Consumer Price Index (CPI) rose 7.8% over the twelve months to the December 2022 quarter, which is the highest level in 10 years.³

Barely out of the disruptions of COVID-19, the Australian economy has experienced new challenges in the form of significant inflation, mortgage rate rises, and energy price spikes driven by unstable geopolitical circumstances, amongst other factors.

In comparison, the Wage Price Index (WPI) measures changes in the price of labour, unaffected by compositional shifts in the labour force, hours worked or employee characteristics. The seasonally adjusted WPI rose by 3.1% through the year at the September 2022 quarter.⁴

More specifically, industry wage growth for 'health care and social assistance' (1.5% in the September 2022 quarter) was one of the main contributors to seasonally adjusted WPI growth. The annual change in WPI for the 'health care and social assistance' industry was 2.9% (at the September 2022 quarter).

The unemployment rate in Australia was 3.7% and the participation rate was 66.5% in January 2023.⁵ Employment in the 'health care and social assistance' industry has been growing over the last 20 years. In more recent times, the number of 'health care and social assistance' industry workers increased by 21,100 (or 1.0%) over the quarter to November 2022 and increased by 163,400 (or 8.6%) over the year to November 2022.⁶

5.2 The NDIS Review

The Minister for the NDIS, the Hon Bill Shorten MP, announced the NDIS Review (Review) in October 2022. There will be two parts to the Review.

³ www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/dec-quarter-2022

⁴ www.abs.gov.au/statistics/economy/price-indexes-and-inflation/wage-price-index-australia/sep-2022

⁵ www.abs.gov.au/statistics/labour/employment-and-unemployment/labour-force-australia/dec-2022

⁶ labourmarketinsights.gov.au/industries/industry-details?industryCode=Q

- Part 1 will examine the design, operations and sustainability of the NDIS covering issues outlined in the full-Scheme bilateral agreements between the Commonwealth and jurisdictions.
- Part 2 will examine ways to build a more responsive, supportive and sustainable market and workforce.

Each of these parts, as well as other matters likely to be considered by the Review, have the potential to have significant strategic implications for pricing arrangements in the future, noting the Review is expected to report in October 2023.

As the Review is running concurrently with the 2022-23 APR, the scope of the APR has been carefully defined to limit any potential overlap with the Review or the prejudging of the Review's recommendations.

5.3 The extensive 2021-22 Annual Pricing Review (APR)

The NDIA monitors and periodically reviews its pricing arrangements and price limits and other market settings to determine whether they remain appropriate. The APR is the main process via which these arrangements are reviewed.

The APR examines whether the NDIS' existing pricing arrangements and price limits remain appropriate or should be modified. This process is informed by feedback from providers, participants, the general community and government stakeholders, as well as targeted research and analysis.

The most recent APR took place over the 2021-22 financial year and was implemented in July 2022. Market data, research, public consultation and regular industry engagement informed changes to the previous pricing arrangements and price limits, which included tailored pricing changes to disability supports totalling 9%.

This figure included wage increases under the *Social, Community, Home Care And Disability Services Industry Award 2010* (SCHADS Award), plus allowance for increases in compulsory superannuation, a 2% temporary loading and a 1.7% increase to base price limits.

The cohort receiving the 9% price limit increase includes SIL. No changes in price limits were made for therapy supports, support coordination or plan management. Prices for capital items were increased by CPI.

5.4 Aged care minimum wage review

On 4 November 2022, the Fair Work Commission (FWC) announced a 15% increase to the minimum wages of the direct care classifications in the Aged Care Award, SCHADS Award and for nurses working in aged care covered by the Nurses Award. While the timing of this increase is still being determined, it has been proposed a 10% increase apply from 1 July 2023, and a further 5% increase apply from 1 July 2024.

Many of the disability support workers delivering NDIS supports are paid under Schedule B of the SCHADS Award, which is a higher rate than aged care workers (even with the 15% increase).

The 2022-23 APR will consider impacts of the minimum wage pay rise in the aged care sector.

5.5 Specialist Disability Accommodation (SDA) Pricing Review

The NDIA is currently undertaking the SDA Pricing Review 2022-23, which is separate to the 2022-23 APR. The SDA Pricing Review occurs every 5 years and will examine pricing arrangements for SDA-related areas only.

Final prices for 2023-24, following CPI indexation of the SDA Pricing Review's outcomes, are expected to be released in May 2023. Any new pricing arrangements will come into effect on 1 July 2023.

6 Disability Support Worker related supports

The NDIS Disability Support Worker (DSW) Cost Model⁷ determines the price limits for most supports in Activity of Daily Life and the Assistance with Social and Community Participation support categories. These supports are generally delivered by providers in registration groups:

- 0104 – High Intensity Daily Personal Activities (1,553 active providers in December 2022 quarter)
- 0107 – Daily Personal Activities (3,086 active providers)
- 0115 – Assistance with Daily Life Tasks in a Group or Shared Living Arrangement (2,310 active providers)
- 0125 – Participation in Community, Social and Civic Activities (3,441 active providers)
- 0133 – Specialised Supported Employment (749 active providers) and
- 0136 – Group and Centre Based Activities (1,787 active providers).

The last APR resulted in a 9% price limit increase for NDIS supports delivered by DSWs for:

- the full increase in the FWC's minimum wage decision
- the full increase in the superannuation guarantee charge
- consideration to the changes to the SCHADS Award
- 2% temporary loading to assist with the costs associated with COVID-19 pandemic and quality and safeguarding requirements.

The last APR's recommendation to simplify the NDIS DSW Cost Model was implemented, taking into account the costs providers incur in delivering supports across base salary, leave loadings, direct on-costs, operational overheads, corporate overheads and pre-tax margin.

The APR is seeking the views of stakeholders on the following issues.

⁷ NDIA. (2021). [NDIS Disability Support Worker Cost Model 2021-22: Assumptions and Methodology](#).

Guide Questions

1. Has the simplified NDIS DSW Cost Model impacted you positively or negatively? Please provide evidence.
2. Are any further adjustments to the NDIS DSW Cost Model required since the SCHADS Award changes from 1 July 2022? If yes, what adjustments or consideration are required? Please provide evidence.
3. What other impacts have the SCHADS Award changes had on your business, including on areas such as costs, staff or rostering? Please provide evidence.
4. Does the impact of COVID remain an unexpected cost or has it been built into part of the business-as-usual costs? If there are unexpected costs, please provide details on contributing factors to costs and cost amount.
5. Do you anticipate the increase to the aged care minimum wage, announced in November 2022, will affect your organisation's service delivery? If so, how?

7 Therapy supports

Within the NDIS, therapists deliver supports under seven provider registration groups:

- 0128 - Therapeutic Supports
- 0118 - Early Intervention Supports for Early Childhood
- 0110 - Specialist Positive Behaviour Support
- 0126 - Exercise Physiology & Personal Well-being Activities
- 0135 - Customised Prosthetics
- 0119 - Specialised Hearing Services
- 0134 - Hearing Services.

In the December 2022 quarter, 301,889 participants (53% of all active participants) purchased therapy supports through their plans. The number of participants who purchased therapy supports in the December 2021 quarter was 255,428, indicating a 18% increase of participants claiming for therapy supports from a year ago.

Therapy supports were provided by 39,955 providers who received a payment in the December 2022 quarter. The number of providers who provided therapy supports were paid in the December 2021 quarter was 34,618, indicating a 15% increase to provider numbers from a year ago. Total payments for the December 2022 quarter equate to \$817 million (10% of all Scheme spend). Compared to total payments of \$650 million in the December 2021 quarter, therapy payments have increased by 26% from the previous year.

A recommendation from the last APR was to provide greater clarity to participants on the types of therapists able to make claims, including the qualifying criteria for each type of therapist. This was implemented in the NDIS Pricing Arrangements and Price Limits.

The APR is seeking the views of stakeholders on the following issues.

Guide Questions

The NDIA acknowledges feedback provided to the 2021-22 Annual Pricing Review where stakeholders previously suggested the price limits for therapy supports were too low, and the principal reason for an increase was the need to pay higher wages because of shortages of existing and future therapists. Other reasons included high compliance and audit costs and supposed strong demand for therapy outside the NDIS.

6. What has been the main cost driver in delivering NDIS therapy supports over the past year? Is this different to the past few years?
7. What proportion of your therapy revenue is derived from NDIS compared to other funding sources?
8. Is there a price difference between rates for your NDIS participants compared to non-NDIS participants? If so, what is the rationale for the price difference?

8 Support Coordination supports

The 2021-22 APR's 9% increase to DSW supports was passed onto Level 1 Support Coordination, which has received positive stakeholder feedback.

The merging of training items for support coordination into self-management capacity building was also a welcome change from the last APR as it allowed more flexible funding.

Features of the new my NDIS provider portal, such as request for service for support coordination and viewing parts of a participant's plan with a participant's consent, are being tested. Feedback from providers has been received and further improvements will be added in early 2023.

A recommendation from the last APR outlined that the NDIA should undertake a review of support coordination, in consultation with participants, providers and other stakeholders. In order to more clearly establish the roles, functions, responsibilities and accountabilities of support coordinators. This will be examined as part of the NDIS Review.

In the December 2022 quarter, 196,328 participants (34% of all active participants) purchased support coordination supports, including capacity building and training supports. These service supports were provided by 6,143 providers who received a payment in the December 2022 quarter. The number of providers who provided support coordination supports and were paid in the December 2021 quarter was 4,512, indicating a 36% increase to provider numbers compared to the previous year.

Total payments for support coordination supports in the December 2022 quarter equate to \$215 million. Compared to total payments of \$185 million in the December 2021 quarter, support coordination support payments have increased by 16% from the previous year.

The APR is seeking the views of stakeholders on the following issues.

Guide Question

The NDIA acknowledges feedback provided to the 2021-22 Annual Pricing Review, which included suggestions for tightening the definition of the role of Support Coordinators. There was also a range of varied activities undertaken, including unfunded activities and expectations of Support Coordinators.

9. What has been the main cost driver in delivering NDIS support coordination supports over the past year? Is this different to the past few years?

9 Plan Management supports

At 31 December 2022, over half of all participants were using a plan manager for some or all of their plan (58%), and nearly half of payments made from plan budgets were by a plan manager (49%).

Payments to plan managers were \$4.1 billion in the December 2022 quarter. Of this \$4.1 billion, \$114 million was for plan management services, and the remainder of the \$4.0 billion was for plan managers to pay service providers on behalf of participants.

Exhibit 1 (below) shows the share of participants plan-managed (in part or in full) and Exhibit 2 shows the share of payments processed by plan managers increased significantly in the last two years.

EXHIBIT 1: DISTRIBUTION OF PARTICIPANTS BY METHOD OF PLAN MANAGEMENT, DEC 2020 TO DEC 2022

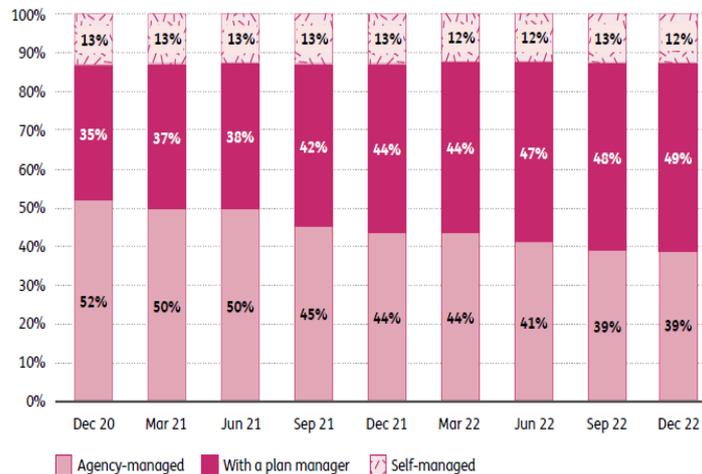
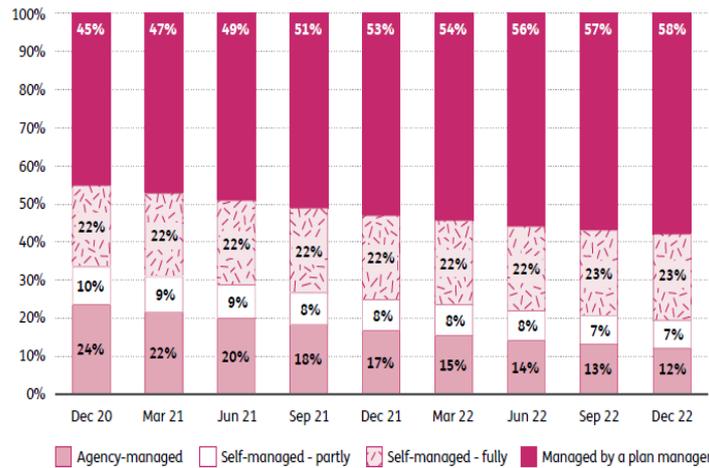


EXHIBIT 2: DISTRIBUTION OF PAYMENTS BY METHOD OF PLAN MANAGEMENT, DEC 2020 TO DEC 2022



Over the past nine quarters, the number of plan managers have increased by an average of 5.5% each quarter. Over the same period, the number of participants being supported by plan managers has increased from 186,536 to 329,203—a quarterly average increase of 7.4%.

This indicates that while new plan managers are entering the market and increasing the number of plan managers, many plan managers are also taking on new participants as the ratio of participants to providers has increased.

A recommendation from the last APR outlined that the NDIA should undertake a review of plan management, in consultation with participants, providers and other stakeholders, in order to clearly establish the roles, functions, responsibilities and accountabilities of plan managers. This will be examined as part of the NDIS Review.

The APR is seeking the views of stakeholders on the following issues.

Guide Question

The NDIA acknowledges feedback provided for the 2021-22 Annual Pricing Review where stakeholders suggested that Plan Managers undertake additional work beyond processing invoices that is not adequately factored into the current monthly fee, including providing a de facto support coordination role. Previous submissions were concerned with the “one size fits all” nature of the current price limit for the monthly fee.

10. What has been the main cost driver in delivering NDIS plan management supports over the past year? Is this different to the past few years?

10 Registration costs

All NDIS providers are regulated, but only some are required to be registered. The NDIS Act requires that providers must be registered to deliver supports to participants whose plans are managed by the NDIA. NDIS Rules (those made in respect of both the NDIA and the NDIS

Commission functions) require that providers must additionally be registered where they provide plan management, specialist disability accommodation, behavioural supports or implement restrictive practices.

The NDIS Commission also monitors and enforces compliance with conditions of registration, including the NDIS Practice Standards. This specifies the quality standards to be met by registered NDIS providers and provides guidance on how to deliver supports and services to NDIS participants.

The NDIS Code of Conduct applies to all NDIS providers and their employees whether they are registered or not. The requirements for NDIS providers are intended to be nationally consistent.

The benefits of being a registered provider include:

- connecting and delivering supports to a wide range of participants, including those with NDIA-managed funding
- being part of a vibrant, innovative and competitive marketplace
- marketing your services as being a registered provider
- extending your online presence through the NDIS Provider Finder tool in the myplace provider portal
- accessing online business systems through the [myplace provider portal](#), including tools to manage your service bookings and fast payment processing
- accessing updates and information from the NDIS about business system and process changes, including tools and resources that you can use to train your staff
- access to supplementary training modules offered by the NDIS Commission.

The APR is seeking the views of stakeholders on the following issues.

Guide Questions – applicable to DSW related supports, Therapy, Support Coordination and Plan management supports only

The NDIA acknowledges the feedback provided for the 2021-22 Annual Pricing Review. Stakeholders argued the NDIS Commission requirements were complex and had substantially increased administrative cost and burden. They also suggested the DSW Cost Model does not recognise the full costs associated with implementing the NDIS' quality and safeguarding requirements. Further, these quality compliance costs were claimed to have significantly increased in recent years.

11. Please provide an estimation of time spent by your employees to complete administrative tasks associated with registration, audits and compliance relative to other sectors (private or public).
12. Has the time spent on NDIS administrative/registration tasks increased in the past year?
13. What do you see as the benefits and barriers to registration? If any, please provide more details.

11 Labour market

The ABS reported that the 'health care and social assistance' industry was the industry with the second most new entrants starting their current job, at 230,000 people (of 2.8 million people) in the year ending February 2022.⁸

Further, in the year ending February 2022, the ABS reported that 1.3 million people (9.5% of employed people) changed jobs, the highest annual job mobility rate since 2012.

The 'health care and social assistance' industry accounted for the largest share of people changing jobs in the year ending February 2022, with 12.2% entering the industry. In comparison, 8.7% left the industry in the year ending February 2022.

Employment in Health Care and Social Assistance was projected to grow by 301,000 (or 15.8%) over the five years to November 2026.⁹

The National Skills Commission published the 2022 Skills Priority List Key Findings Report in October 2022.¹⁰ This report highlights both the tightening of the Australian labour market, and the large proportion of diverse occupation shortages, noting the ongoing impacts of the COVID-19 pandemic.

The proportion of Health Professional occupations in shortage went up by 47% in 2022. The report suggested that although there is a high level of qualifications that can pose barriers to enter the job, the trend appears to be mostly driven by the COVID-19 pandemic.

The APR is seeking the views of stakeholders on the following issues.

Guide Questions – applicable to DSW related supports, Therapy, Support Coordination and Plan management supports only

14. How have NDIS pricing arrangements and price limits assisted your ability to hire and retain workers compared to other sectors and the private market? Please provide evidence.
15. How have NDIS pricing arrangements and price limits assisted in meeting the sector demand and/or supply for NDIS supports? Please provide evidence.
16. In your view, what is the best way(s) to address workforce issues?

12 Conclusion

Thank you for taking the time to review the 2022-23 APR Consultation paper.

⁸ www.abs.gov.au/statistics/labour/jobs/job-mobility/feb-2022

⁹ labourmarketinsights.gov.au/industries/industry-details?industryCode=Q

¹⁰ www.nationalskillscommission.gov.au/reports/2022-skills-priority-list-key-findings-report

Your participation in the public consultation is important to us and your feedback supports setting sustainable pricing arrangements that promote choice and control for NDIS participants.

The outcomes from the APR Consultation Paper are intended to be shared with the NDIA Board in April 2023.

The outcomes of the APR will be announced in June 2023 dependent on the Fair Work Commission's Minimum Wage Decision, which is also due in June 2023.

The NDIS Pricing Arrangements and Price Limits will be published from 1 July 2023.

For more information on the public consultation and how to provide feedback, please visit the [NDIS Annual Pricing Review page](#).

You can also find more information about this year's Annual Pricing Review by accessing the APR 2022-23 Terms of Reference.

Submissions on this Consultation Paper can be lodged via email to apr@ndis.gov.au and close by 11:59pm AEST Thursday 13 April 2023.