

19 February 2021

Mr Martin Hoffman
Chief Executive Officer
National Disability Insurance Agency

Submitted using: [NDIS website portal](#)

Dear Mr Hoffman

Re: Consultation paper: Access and Eligibility Policy with independent assessments

The Royal Australian and New Zealand College of Psychiatrists (RANZCP) welcomes the opportunity to provide feedback on the Consultation Paper on access and eligibility policy with independent assessments (the Consultation Paper).

The RANZCP is a membership organisation that prepares doctors to be medical specialists in the field of psychiatry, supports and enhances clinical practice, advocates for people affected by mental illness and advises governments on mental health care.

The RANZCP has more than 6900 members including more than 5100 qualified psychiatrists and over 1800 members who are training to qualify as psychiatrists. Psychiatrists are clinical leaders in the provision of mental health care in the community and use a range of evidence-based treatments to support a person in their journey of recovery.

The RANZCP shares the overarching aim of the National Disability Insurance Agency (NDIA) that there should be consistent, equitable access to the NDIS across Australia that is not impacted by a participant's location. However, the RANZCP has concerns that inequity will still remain due to a variety of social and economic determinants which are not addressed by the implementation of independent assessments [1].

The RANZCP has concerns around the introduction of independent assessments as part of the eligibility, assessment and planning NDIS process. We share concerns with disability advocates that assessments will be conducted by people who are unfamiliar with the individual, taking away participant choice with the potential to create further trauma and distress for people with disability.

A deep understanding and knowledge of psychosocial disability through appropriate experience and qualifications is important to assist in a proper functional capacity assessment. All independent assessors should be proven competent in psychosocial and physical disability and with understanding of the strong correlation between the two. The RANZCP would welcome further information and better understanding of how NDIS access and eligibility will be impacted with the removal of the access lists (as described on page 9 of the Consultation Paper).

The RANZCP would also urge that there is a rigorous independent appeal process in place to ensure people who disagree with any decisions made by the NDIA or independent assessors can have the decision re-evaluated. The RANZCP has concerns that the information purported in the Consultation Paper under '3.11 Appeal rights and complaints' limits the ability of people with disability and their support people to question the legitimacy of decisions made during the independent assessment process through an external agency. An independent review panel made up of experts, separate to the NDIA and independent assessors, should be available. In addition, the appeals process should be clearly communicated to people with disability and their support people using a variety of methods.

The creation of Medicare Benefit Schedule-style items for health and medical professionals could be a better way to create equitable access to assessments for people with disability seeking to access the NDIS and allow people with disability more choice in decisions which impact their NDIS journey.

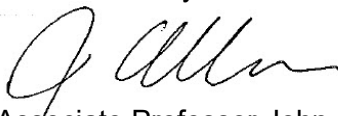
The RANZCP has ongoing concerns as to the blurring of health and disability related areas and the impact this has on people with disability. On page 8 of the Consultation Paper, it identifies that the NDIS will 'provide detail on the most appropriate treatment system for health conditions'. While we would welcome any clarification of this sentence, we would seek assurance that only health and medical professionals should provide advice on appropriate treatment systems for health conditions.

The management of challenging or complex behaviours is an area where we feel there is confusion over sector responsibility. To our understanding the NDIS does currently support people and their families who display challenging or complex behaviours which is important in maintaining the safety of individuals and others. The treatment of challenging and complex behaviours should be considered a health-related issue and the RANZCP has concerns that these behaviours may not be adequately captured using independent assessments.

When seeking evidence from a medical or health professional as to the impact on functionality or other related information a clearly designed template should be provided. The RANZCP would welcome the opportunity to assist in the development of any evidence documentation for participants.

To discuss any of the issues raised in this letter and submission, please contact Rosie Forster, Executive Manager, Practice, Policy and Partnerships Department via rosie.forster@ranzcp.org or by phone on (03) 9601 4943.

Yours sincerely



Associate Professor John Allan
President

Ref: 2113

References

1. Australian Institute of Health and Welfare. Australia's health 2016. Canberra: AIHW; 2016.