Guide to Reasonable and Necessary (R & N) decisions

Previously installed vehicle modifications

Case example

Roger thinks being able to drive a vehicle will increase his independence. He talks to his occupational therapist who agrees this is a suitable disability related support. Rather than buy a vehicle then modify it, Roger decides to buy one that has already been modified.

Roger finds a car that has the driver controls he needs. It also has modifications that will allow him to secure his wheelchair and move it in and out of the car. The vehicle Roger wants to buy is more than 5 years old and out of warranty.

He asks us to cover the cost of modifications already in the vehicle.

Would we fund this?

Yes, we'll generally fund the depreciated cost of modifications already in a vehicle you may be looking to buy. We calculate the depreciation by considering how long ago the modifications were made and how much their value has reduced since this time. To calculate the depreciation, Roger will need to tell us the original cost of the modifications and their age, in years, where possible.

Roger will also need to give us evidence that the modifications:

- relate to his disability support needs
- meet the Australian standards and rules relevant in his state or territory
- are legal for use in Roger's state or territory.

The vehicle is more than 5 years old and out of warranty, so Roger will need to give us a vehicle condition report. A licensed vehicle modifier or certifier needs to provide this report.

The modifications are so Roger can drive the vehicle. This means Roger will need to give us evidence from a driver-trained occupational therapist that he will be able to drive the modified vehicle.

We will not fund the vehicle purchase as it is not an NDIS support. For more information, refer to Our Guideline – Vehicle modifications and driving supports.

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Why would we fund this?

NDIS laws determine what we can and can't fund. Things we can fund are called NDIS supports. You can use the funding in your plan to buy NDIS supports if they are related to your disability and are in line with your plan.

We would fund the depreciated value of the vehicle modifications because they meet the NDIS funding criteria.

We've used the evidence that Roger has provided for an existing vehicle modification. The evidence Roger provided shows that the vehicle modifications are an NDIS support for Roger. This is because:

- we agreed with Roger's driver-trained occupational therapist that these modifications were suitable for Roger's disability support needs. They assessed the modified features and found that they would allow Roger to move his wheelchair in and out of the vehicle independently. They also found that he could secure his wheelchair for transit
- the driver-trained occupational therapist gave us evidence that Roger is independent in all driving-related activities. He can drive. The conditions on his driver's licence also match the modifications he'll drive with
- the driver-trained occupational therapist has given us evidence that Roger's function isn't expected to change. He'll be able to use the vehicle modifications for a number of years.

Roger has provided evidence the modifications and vehicle will be suitable on a long-term basis, based on:

- the age and condition of the vehicle and the modifications
- the professional recommendation of a driver-trained occupational therapist. They assessed the driver controls which included the steering control, alteration to the brake and accelerator controls
- the professional opinion of a driver-trained occupational therapist. Their report tells us how Roger can get in and out of the vehicle safely, and manage all driver-related tasks
- the assessment by an authorised vehicle modifier stating the modifications meet the Australian standards and rules and are legal for use in Roger's state or territory. This is important if the modifications were installed overseas

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- the expected need for maintenance or repairs.

As the modifications are already installed, we need to calculate their depreciated value. This is the amount of funding we would add to Roger's plan.

For more information, refer to Our Guideline – Vehicle modifications and specialised driver training.

What else do we think about?

The modifications must be value for money compared with other supports that would get the same result. Your planner will look at all your transport needs to work out whether it is an NDIS support for you.

We won't fund modifications that don't relate to your disability support needs. You may choose to use your own money to pay for special features not related to your disability support needs.

We won't fund:

- buying a motor vehicle
- regular insurance, registration or running costs.

These are day-to-day costs related to your transport needs, rather than your disability support needs.

Case example

Susan has spina bifida and needs a wheelchair to get around. She's been taking driving lessons in a modified vehicle using hand controls to operate the accelerator and brakes. Susan recently passed her driving test.

Susan wants to buy a car large enough to fit her wheelchair. Her driving instructor suggests she look at second-hand vehicles that have already been modified with hand controls and can fit a wheelchair. It's likely this is more affordable than a new vehicle and we may provide funding toward the cost of the fitted modifications.

Susan contacts her planner to talk about the next steps. The planner explains we need a vehicle condition report if the vehicle is more than 5 years old and out of warranty. Her planner advises we may fund the depreciated value of modifications fitted to the vehicle. This would only apply if the modifications relate to Susan's disability support needs. They also need to be value for money when compared with other vehicle modifications or similar supports.

The planner recommends that if Susan wants to buy a vehicle already modified to support her disability, she needs to give us evidence. This evidence needs to come from a driver-trained occupational therapist.

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The driver-trained occupational therapist must recommend the types of vehicles that would best suit Susan. This should include an itemised list of the minimum modifications she needs to operate a vehicle safely and be independent. This would include things like getting her wheelchair in and out of the vehicle and other driving-related tasks.

Susan also needs to provide evidence that the modifications already fitted in the second-hand vehicle, or modifications that are factory fitted in an imported vehicle:

- are legal, safe and in good working condition
- are appropriate and suitable for her transport needs
- meet the Australian standards and rules relevant in her state or territory.

Susan sees a second-hand car within her price range. The vehicle, imported from Japan, has been factory modified to support a wheelchair and uses hand controls to operate the accelerator and brakes.

Susan works with her driver-trained occupational therapist to make sure the modifications include everything she needs to operate the car. For example, securing her wheelchair.

The car dealer lets Susan get the vehicle inspected by an authorised vehicle modifier. They find that the wheelchair restraint does not meet the Australian standards and rules relevant in her state or territory. It will need replacing.

The modifier gives Susan an assessment of the equipment and a quote on the cost of replacing the wheelchair restraint. He also gives Susan an itemised list of the costs of the factory modifications. The car dealer offers to discount the price of the car by the cost to replace the non-standard wheelchair lock. He also confirms how old the modifications are.

Susan submits her evidence to her planner. She includes:

- the modifications list from her driver-trained occupational therapist and their confirmation these are suitable for Susan to use
- evidence from the driver-trained occupational therapist detailing the results of her vehicle trial. This includes how she can enter the vehicle, restrain her wheelchair, exit the vehicle and manage all driver-related tasks
- the risk assessment from the vehicle modifications dealer
- a quote for fitting an Australian standards and rules compliant wheelchair restraint
- the factory cost of the compliant modifications.

When working out whether funding for Susan's vehicle modifications meets the NDIS funding criteria, the planner considers:

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- the benefits of the modification in helping Susan pursue her goals and live an ordinary life, based on the evidence provided from the trial
- if the modifications will be effective and of benefit compared to other options, and thinking about how much use Susan will get from the car with her current functional abilities
- the depreciated cost of the modifications and whether other options are better value for money.

In Susan's case, the planner decides other options are unlikely to meet her disability support needs or are poor value for money. The planner decides the vehicle modifications meet the NDIS funding criteria and approves funding for:

- the depreciated value of the factory-fitted compliant modifications in the vehicle
- the installation of a new Australian standards and rules compliant wheelchair lock.

For more information, refer to:

- Our Guideline – Vehicle modifications and specialised driver training
- Our Guideline – Reasonable and necessary supports
- Our Guideline – Assistive technology
- Understanding assistive technology evidence, advice, assessments, and quotes.

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