1 October 2024

The Hon. Bill Shorten MP has today released the final lists of what NDIS participants can and cannot spend their funding on.

The lists will provide much needed clarity and certainty to participants and providers.

This is the first time this list has been reviewed since the commencement of the NDIS and updates current guidelines and practices.

The lists will come into effect from 3 October 2024 and make it easier for participants to identify what is appropriately funded by the NDIS, and what NDIS funding can be used to purchase.

There is also a substitution list which will allow participants to request a replacement support in cases where a standard household item might be able to provide better outcomes and value.

This is part of the amendments introduced under the Getting the NDIS Back on Track Bill No. 1 which passed Parliament in August.

The lists include items that are NDIS supports and items that are not NDIS supports. Importantly, some participants who need specific household items or assistive technology to live their life will still be able to access these items through these lists.

The lists were finalised following significant month-long public consultation, with the Department of Social Services, which undertook the consultation, receiving 6,180 survey responses, 919 email responses and 120 submissions from organisations and peak bodies.

The lists are based on existing guidance, so in most cases there is unlikely to be any change to the supports a person is currently using.

Importantly, there will be a ‘transition period’ for the first year of the new NDIS supports lists to ensure participants aren’t penalised for simple mistakes.

Specifically, the National Disability Insurance Agency (NDIA) will continue to work with participants and take an educative approach, for example: if a participant purchases a support which is not funded, but if someone continues to claim for things which are not NDIS Supports, despite them being provided with information and advice, remedial action will be taken.

Importantly, participants can continue to access stated supports in their plans, as well as supports found to be reasonable and necessary by the Administrative Appeals Tribunal, even if these are now on the excluded list.

“We now have a central place, set in law, where NDIS participants, their families, carers and providers can go to see what they can use their NDIS funds for,” Minister Shorten said.

“While there have been administrative guidelines previously, we have made it much easier for participants and providers to understand what funding can and can’t be spent on.

“These changes are the next key step in returning the NDIS to its original intent and improving the Scheme experience for every participant.

“I know many participants are feeling uncertain about these changes, but the supports being accessed by the vast majority of people will not be impacted by the revised lists which are based on existing guidance.

“I want to reassure participants that the lists will bring more clarity and more certainty for all participants in how they can use their budgets.

“The landmark independent NDIS Review recommended the Government provide clarity to participants and the lists make it clearer for everyone using and interacting with the Scheme.”

DSS and the NDIA have worked extensively with the community to reflect feedback provided in the consultation phase. These changes have included:

- The support categories are in language and terms which reflect supports included in plans, pricing arrangements, and how they are claimed.
- There is now one consolidated list of items that are NDIS supports and another consolidated list of items that are not NDIS supports.
- A replacement process has been developed to support participants to access certain support household items and assistive technology that may better meet a participant’s support needs.
- Menstrual products required specifically due to a participant’s disability support needs have been included in ‘assistive products for personal care and safety’.
- Participants can use their funds to get the most cost-effective supports where applicable.
- Internal and external building modifications to remedy damage arising exclusively from disability-related behaviours or use of NDIS funded assistive technology or equipment are now included in the supports list.
- Driver training with a specialised Vehicle Driving Instructor is now included, which may include training on the use of adapted equipment or vehicle modifications.
- Clarification has been made to allow for hair and nail care to be available where a participant has a specific function and/or personal hygiene disability related need.
- Support for First Nations participants will now include participation in cultural activities.

“I want to thank everyone for their contribution – participants, providers, advocates and the states for their help in getting to this point,” Minister Shorten said.

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