



# Disability Rights Advocacy Service Inc

## Applying for the NDIS Fact Sheet One: Eligibility Requirements



**Age requirements:** Under 65 years of age; 0-6 years of age for Early Childhood Early Intervention, 7 until 65 years of age. **AND**



**Residence requirements:** Reside in Australia, Australian Citizen or holder of a permanent visa. **AND**



**Disability requirements; OR early intervention requirements;**

### The Definition of Impairment

An **impairment** is a loss or significant change in at least one of:

- A person's body's functions
- A person's body structure
- how a person thinks and learns.

### Disability Requirements: 5 Access Criteria (Section 24 of the NDIS Act)

1. Disability is caused by an impairment/impairments;

The NDIA must have evidence that the person's disability is caused by at **least one of the impairments below:**

- **Intellectual** - such as how you speak and listen, read and write, solve problems, and process and remember information
- **Cognitive** – such as how you think, learn new things, use judgement to make decisions, and pay attention
- **Neurological** – such as how your body functions
- **Sensory** – such as how you see or hear
- **Physical** – such as the ability to move parts of your body
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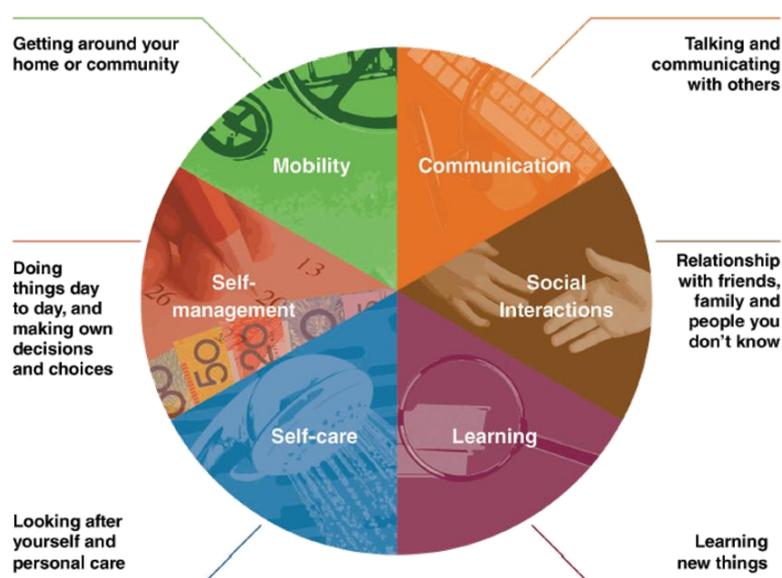
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- A person may also be eligible for the NDIS if they have a **psychiatric / psychosocial disability**. This means the person has reduced capacity to do daily life activities and tasks due to their mental health.

## 2. Impairment is likely to be permanent

- **impairment** lasts for a person's whole life.
- Even when the person's condition or diagnosis is permanent, the NDIA will check if a person's **impairment is permanent** too.
- A person's impairment will likely be **permanent** if their treating professional gives the NDIA evidence that indicates there are **no further treatments that could significantly relieve or cure the impairment**.
- Generally, the NDIA will consider whether the person's impairment is likely to be permanent after **all available and appropriate treatment options have been pursued**.
- If the person gives evidence that they have been diagnosed with a condition on List B, the NDIA will likely decide that their disability is from an impairment that's likely to be permanent.

## 3. Permanent Impairment substantially reduces functional capacity



- **Permanent Impairment** substantially **affects** daily **functioning in one or more** of the areas on the left.



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## A Mobility

- Moving around the home (crawling/walking), getting in or out of bed or a chair, leaving the home and moving about in the community.
- Assistance required does not include commonly used items such as glasses, walking sticks, non-slip bath mats, bathroom grab rails and hand rails installed at stairs.

### Examples

- Client can walk short distances in the home however requires assistance outside the home (frequent rest periods, use of power wheelchair, use of manual wheelchair with assistance to push them)
- Client needs the use of a wheelchair for all aspects of mobility (inside and outside the home)
- Client requires assistance from two people to transfer between equipment.
- Client requires assistance with all transfers through use of a hoist (with two trained adults to assist with transfer)
- Client requires use of a walker to assist them to get around inside and outside the home

## B Learning

- Understanding and remembering information, learning new things, practising and using new skills

### Examples

- Client experiences difficulties learning new things. Client also has difficulty retaining new learning. Client requires assistance in the form of prompting and training from a person to practise new skills.
- Client is not able to live independently due to difficulty learning new tasks and retaining new skills. Client requires assistance from a professional to develop and adapt routines.



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## C Social Interaction

- Making and keeping friends, interacting with the community (or playing with other children), coping with feelings and emotions.

### Examples

- Client experiences difficulty making and keeping friends, often plays alone. Client requires assistance to initiate play with other children.
- Client can become easily overwhelmed in social situations and behaviours change significantly. Client requires assistance to remain calm in busy environments (i.e.: supermarket, social group, sporting environments).
- Client often behaves against social norms in public. Client requires prompting from a familiar person on social etiquette.
- Client does not feel comfortable in social situations and avoids social interaction. Client would benefit from participating in small group recreational activities to develop social skills
- Client spends the majority of his / her time at home and is at risk of becoming isolated. Client would benefit from joining a support group or a leisure group to increase social interaction
- Client experiences social phobias which prevent him/her from travelling alone using public transport, client does not drive. This leads to social isolation. Client would benefit travel training and gradual exposure to travelling alone to enhance independence.
- Client is prefers not to engage in community activities due to psychosocial impacts of the mental health condition. Client would benefit from joining a community social support group to increase his / her support networks.
- Client is not able to establish and maintain meaningful relationships with others without great difficulty. This causes the client to withdraw from social activities and leads to isolation. Client would benefit from participating in social activities and recreational activities to practice developing relationships.

## D Communications

- Being able to express themselves and be understood in spoken, written or alternative modalities (eg. sign language, use of technology) and understanding others through appropriate modalities of communication.

### Examples

- Client is learning to communicate through (gestures or use of technology or through spoken language or whatever) and will require ongoing therapy to achieve functional use of language which will support some level of function in community.
- Client is able to use single words only.



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## Examples

- Client can express simple single word choice through use of yes/ no gestures only.
- Client requires significant support/ assistance to enable being able to express needs and wants.
- Client is able to use symbols to express basic needs and wants.
- Client has a voice disorder affecting his ability to be heard over the phone or in a social situation.
- Client needs ..... to support maintenance of functional voice.
- Client is not able to use voice commands to communicate
- Client is not able to articulate needs and wants without assistance from a carer / interpreter
- Client is not able to use voice commands or writing to communicate. Client would benefit assistive technology for reading, writing and speaking and the training required to use this technology
- Client is not able to articulate needs and wants without assistance from a carer / interpreter. Client requires support from a carer / interpreter on frequent occasions

## E Self- Care

- Showering/ bathing, dressing, eating, toileting, caring for own health (not applicable for children under two years of age).
- Assistance required does not include commonly used items such as non-slip bath mats, bathroom grab rails and hand rails installed at stairs.

## Examples

- Client not able to independently transfer. Client requires two people to use hoist to transfer from wheelchair to shower chair.
- Client requires prompting from a person to toilet.
- Client requires assistance from one person to shower.
- Client requires bed bath.
- Client requires assistance to prepare meals.
- Client requires special equipment/ formula in order to maintain adequate dietary intake, allowing them to attend school and assisting in focus in the school environment (i.e.: home enteral nutrition, modified cutlery etc.)

## F Self- Manage

- Doing daily jobs, making decisions and handling problems and money.

## Examples

- Client experiences difficulty concentrating and making decisions on a daily basis. Client requires supported decision making.
- Client requires prompting and supervision when making purchases.
- Client requires assistance from a professional to develop and adapt routines.
- Client requires prompting and monitoring to manage activities related to rent agreements such as paying bills on time and replying to mail correspondence in order to maintain tenancy.



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## 4. Permanent Impairment affects social, work or study life

- This means the person's **permanent impairments** affect how they can find and keep a job, contribute to their community, or join social activities.
- The NDIA looks at a person's ability to do things like:
  - ✧ find and keep a job, volunteer or start your own business
  - ✧ study
  - ✧ spend and save money
  - ✧ play sport
  - ✧ go to the movies
    - It doesn't matter how much a person's ability to work, study or socialise is affected by their impairment. It only needs to affect their social or work life in some way for them to meet the criteria.

## 5. Need support under the NDIS for whole life

- The person must be likely to need **support under the NDIS for their whole life.**
- The NDIA will consider the following when making a decision about this:
  - The person's life circumstances
  - The nature of a person's long-term support needs
  - Whether a person's needs could be best met by the NDIS, or by other government and community services.

For example, a person may have a permanent impairment, which is caused by a chronic health condition. Many chronic health conditions are most effectively managed or remedied through medical management through the health system. If this is the case, the NDIA may decide that a person does not have a lifetime need for support under the NDIS.



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## Early Intervention Requirements (Section 25 of the NDIS Act)

If a person does not meet all the disability requirements, a person may be eligible for the NDIS under the **early intervention requirements**.

A person will meet the early intervention requirements if they meet all of the following:

- A person has an **impairment** that's likely to be **permanent (same as in disability requirements 1 -2)**
- **Early intervention supports will help the person**, for example if it means they will need less disability support in the future and their functional capacity (same as in **disability requirement 3**) will improve.
- The early intervention the person needs is **most appropriately funded by the NDIA**.



If a person needs help to get their evidence together to support their NDIS access request application (7 until 65), Local Area Coordinators (LAC) can help.