

What is my Primary and Secondary Disability???

As an NDIS participant this scenario during a planning meeting may be familiar to you:

NDIS Planner: What is your "Primary" disability?

You: I am deaf and I have a mental health condition...what do you mean my primary disability?

NDIS Planner: You have to choose one...

You: I don't know...I was accepted onto the NDIS for both these disabilities, why do I have to choose?

NDIS Planner: Because you will only receive supports for the primary disability...

You: ????

If this is familiar to something you have experienced at a planning meeting with an NDIS Planner or a Local Area Coordinator you have every right to be confused!

There is nothing within the NDIS Legislation or Rules that says you will only be funded for a "Primary" disability.

If you have more than one disability and as long as you have met the access requirements for this disability then the funding you receive in your NDIS Plan should relate to all these disabilities not just your "Primary" disability*.

So what can you do?

Step 1: Confirm with the NDIS what disabilities you have been accepted onto the NDIS under.

Step 2: Ensure your NDIS Plan reflects all your disability support needs you have accepted onto the scheme under.

Step 3: If during your plan meeting you are required to choose a "Primary" disability, you should object to this and request relevant funding for all the disabilities you have been accepted onto the NDIS under.

Step 4: if your plan does not reflect all your disability support needs you have been accepted onto the NDIS under you can submit an Internal Review of your NDIS Plan

Step 5: if your plan does not reflect all your disability support needs you can ALSO submit a complaint to the NDIS regarding the way you have been treated, this is your human right!

Step 6: If the NDIS has not attempted to resolve your complaint within 21 days you can submit a complaint to the Commonwealth Ombudsman.

By submitting an Internal Review you can attempt to resolve the shortfall of funding in your plan to reflect your disability needs.

By submitting a complaint you can increase awareness to the NDIS and the Commonwealth Ombudsman about this issue to bring about large-scale changes.

*Please note if you have been granted access to the NDIS for one disability and you believe you have more than one disabilities you would like supports for you can submit an Access Request for any other disabilities that meet the NDIS Access Criteria.

6 Agency may provide support and assistance

To support people with disability to exercise choice and control in the pursuit of their goals, the Agency may provide support and assistance (including financial assistance) to prospective participants and participants in relation to doing things or meeting obligations under, or for the purposes of, this Act.

Note: For example, the Agency might assist a participant to prepare the participant's statement of goals and aspirations by assisting the participant to clarify his or her goals, objectives and aspirations.

- Section 3 the Objects of the Act
- Section 4 General principles guiding actions under the Act
- Section 17A Principles relating to the participation of people with disability
- Section 24 Disability Requirements
 - A person meets the disability requirements if:
 - (a) the person has a disability that is attributable **to one or more** intellectual, cognitive, neurological, sensory or physical impairments **or to one or more impairments** attributable to a psychiatric condition; and
 - (b) the **impairment or impairments** are, or are likely to be, permanent; and
 - (c) the **impairment or impairments** result in substantially reduced functional capacity to undertake, or psychosocial functioning undertaking, one or more of the following activities:
 - (i) communication;
 - (ii) social interaction;
 - (iii) learning;
 - (iv) mobility;
 - (v) self care;
 - (vi) self management; and
 - (d) the impairment or impairments affect the person's capacity for social or economic participation; and
 - (e) the person is likely to require support under the National Disability Insurance Scheme for the person's lifetime.
- Section 31 Principles Relating to Plans
- Section 33 Matters that must be included in a participants plan
- Section 34 Reasonable and Necessary Supports