

Changing your plan

Quick summary: we may need to change your plan for many reasons. If your situation changes, your disability support needs may change. You might need more supports, fewer supports, or different supports. There are different ways we can change your plan. In certain situations, we might be able to vary your current plan. If we need to make major changes we'll do a plan reassessment, and you'll get a new plan.

We'll check in with you during your plan to see if you need any changes to your plan. We'll talk with you about your situation and look at any information you have given us to work out if we need to change your plan. If a change is needed, we'll then decide what type of change we need to do. You can ask us for a change to your plan at any time or we could decide to do this. If you want us to review a decision we have already made about your plan, talk to us first. A plan change isn't used to review any of our decisions.

We'll work with you to make any changes to your plan. We'll talk with you about your situation to work out what we need to change. We'll then either update your plan or create a new plan. We still need to follow the laws for the NDIS that apply when making a change to your plan. For example, any changes to the reasonable and necessary supports in your plan must meet the NDIS funding criteria.

Note:

- When we say 'your plan' we mean your NDIS plan.
- As part of the recent changes to the NDIS laws we are moving towards a new framework for planning. Rules need to be developed for this new framework. We're working on how and when we'll introduce these changes.
 - Until then, all current plans will be known as 'old framework' plans, and we will continue to develop these until all participants have transitioned to the new framework. The information in this Our Guideline is about our 'old framework' plans, which includes the recent changes to the NDIS laws.
- If you're aged between 9 and 65 years and are looking for information about community connections, go to Our Guideline Community Connections.
- If your child is younger than 9 and you're looking for information about early connections, go to Our Guideline Early Connections.

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What's on this page?

This page covers:

- What do we mean by changing your plan?
- How can I ask for a change to my plan?
- What happens after I request a change to my plan?
- When do we decide to change your plan?
- How do we make a change to your plan?
- How can I prepare for my plan change?
- When would we decide not to change your plan?
- What happens after I have had a change to my plan?

You may also be interested in:

- Reviewing our decisions
- Creating your plan
- Reasonable and necessary supports
- Your plan
- What principles do we follow to create your plan?

What do we mean by changing your plan?

Your NDIS plan has information about you and your goals and aspirations. We call this the 'participant's statement of goals and aspirations'.¹

Your plan also has information about:

- any general supports provided
- your reasonable and necessary supports that meet the NDIS funding criteria
- how your NDIS funds and the other parts of your plan will be managed.

We call this the 'statement of participant supports.' Learn more about creating your plan.

Every plan must include a reassessment date.³ We need to look at your plan with you by this date and decide if we need to make any changes. You can <u>ask us to change your plan at any time</u>. We can also decide to change your plan at any time if we think we need to. You don't have to wait until the reassessment date to ask about changing your plan. We'll work with you to change your plan if we need to.

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In certain situations, we can change your plan by updating part of your current plan. We call this a <u>plan variation</u>.⁴ Or we can decide to approve a new plan after a <u>plan reassessment</u>.⁵ Both the decision to vary your plan and the decision to approve a new plan are reviewable decisions.⁶

If you're not happy with a decision we've made about your plan, you can ask for an internal review of our decision.⁷ A plan change is not the right pathway to seek a review of a decision we have made.

Learn more about the difference between <u>plan variations</u>, <u>plan reassessments</u> and <u>internal</u> reviews.

What is a plan variation?

A plan variation is where we make changes to your current plan. We can make changes to your current plan without doing a plan reassessment. There are certain situations when we can do this and the laws for the NDIS tell us what these situations are.⁸ The NDIS rules can also say how we should vary your plan. If we decide to make changes to your plan, we'll prepare the varied plan with you.⁹

We can vary your plan if you ask us to, or if we think a plan variation is required.¹⁰ When you ask for a variation, we call it a 'participant-initiated plan variation'. When we decide to vary your plan, we call this a 'CEO-initiated plan variation'. The varied plan we approve may be different to what you ask for.¹¹ We'll talk to you about this when we're varying your plan. If the plan variation is about funding in your plan, the varied plan must still meet the NDIS funding criteria.¹²

We'll vary your plan to:

- fix a small or technical error¹³
- vary your total funding amount (limitations apply)¹⁴
- vary your funding component amount(s) and funding periods¹⁵
- change the reassessment date of your plan¹⁶
- update how the funds or other aspects of your plan are managed ¹⁷
- update which specific provider must provide a support or how a support must be provided¹⁸
- add crisis or emergency supports because of a significant change to your NDIS support needs.¹⁹

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Fix a small or technical error

If there is a minor or technical error in your plan, we can usually update your plan to correct it.²⁰ For example, a small mistake in your plan might be a spelling mistake we need to fix. Or we may need to add in a word that was missed.

A technical error is where there has been a mistake in how we have processed something. For example, if we have classified or calculated a support the wrong way, we can fix it so it's right.

We'll fix any small or technical errors as fast as we can. We'll let you know if we have fixed an error in your plan.

If there's an error in your participant's statement of goals and aspirations, we'll contact you before we make any changes or corrections.

Vary your total funding amount

Your plan will have a total funding amount. We'll call this a 'total budget amount' in your plan. We can vary the total funding amount in your plan in certain situations.²¹ These include:

- where you need crisis or emergency funding because of a significant change to your support needs²²
- the CEO (delegate) receives requested information after the plan comes into effect (for example, on an item of assistive technology)²³
- a change to your reassessment date²⁴ or
- a minor variation which means the total funding amount in your plan has increased.²⁵

New and reassessed plans approved **from 9 October 2024** will have funding component amounts and funding periods.

Vary your funding component amount(s) and funding periods

Funding component amount(s) is funding for a specific support or group of reasonable and necessary supports funded in your plan.²⁶

Your funding period is the time that a part of your funding becomes available and how long it needs to last. You can spend up to the amount of funding that is available in that time. Funding periods can be for the total funding amount of your plan or each funding component amount in your plan.²⁷

The laws for the NDIS state what we can change in your plan without making a whole new one. If your plan has funding component amount(s) and funding periods,²⁸ we can change:

 how we group your NDIS supports. This may change some funding component amounts, but not the total funding amount in your plan.

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- changes to funding periods, if these are already in your plan. This may change the time we provide funding for, or the amount in some funding periods. If we vary your funding periods, it won't change the total amount of funding in your plan.
- your general supports, if you have any.²⁹

We don't add funding component amounts and funding periods to plans through a plan variation if you don't already have them in your plan. We'll include them in new plans and plan approval decisions made through a plan reassessment.

Learn more about funding component amount(s) and funding periods in <u>Our Guideline – Creating your plan</u>.

Change the reassessment date of your plan

How far in advance we set a plan reassessment date isn't the same for everyone. Your reassessment date will be specific to you and your situation. In some situations, we can change your reassessment date to a later date or an earlier date if we need to.³⁰ We'll talk with you and work with you if we need to make these types of changes.

For example, if your plan is working for you, we may change the reassessment date to a later date. We call this a plan continuation.

We need to make sure we reassess your plan at least every 5 years. This means we can't change the reassessment date if this would extend your plan longer than 5 years from when it started.³¹ We won't change your reassessment date if there are concerns about how your plan is working for you. Or, you haven't been using the funds in your plan. In this situation we'll <u>check-in</u> with you.

If we change the reassessment date in your plan, we may need to vary the statement of participant supports in your plan. We'll work with you to do this.³²

Case example

Fatima is a 27-year-old participant who lives with a mild intellectual disability. She speaks Arabic and uses an interpreter.

At Fatima's last check-in, she and her planner discussed that her current plan was working well for her. At the time, Fatima requested that her current NDIS supports continue for the next 12 months. We didn't make any changes during her check-in as her plan was near its reassessment date.

When developing Fatima's next plan, her planner suggests they continue her current plan for 3 years. Fatima's planner can see that she has found providers she is working well with, and she is working towards her goals. Her current supports have been working well over the past 12 months and are likely to continue to meet her support needs.

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At the plan meeting, Fatima and her planner discuss continuing her plan. Fatima would like to continue with her current supports. Fatima's planner approves a variation to her reassessment date. Fatima's plan will continue with the same supports for the next 3 years. Fatima's planner also tells her that if her situation changes, she can contact the NDIS.

Update how the funds or other aspects of your plan are managed

We can update your plan to change how the funds or other aspects of your plan are managed.³³ You can ask us to do this, or we may decide to do this. When we decide to change how the funds or other aspects of your plan are managed, this is called a CEO-initiated plan variation. When we make a decision about how your plan funds are managed, we'll consider if you³⁴, your child representative³⁵, your plan nominee³⁶, or registered plan manager³⁷:

• are unlikely to spend your funding only on NDIS supports and in line with your plan³⁸ If we think this is the case, we may not approve your request to change your fund management type.

There are some situations that mean we would have to manage your plan for you. This is when you or your plan nominee:

- have been convicted of an offence that is punishable by imprisonment of 2 years or more³⁹
- have been convicted of an offence that involves fraud or dishonesty.⁴⁰

We'll also think about if there's an unreasonable risk to you if you, your nominee, child representative or registered plan manager manages your funding.⁴¹ Learn more about <u>how</u> we decide who manages your funding.

If we change how your funds are managed, this may change how we group the funding components in your plan. For example, if you self-manage one part of your plan, and Agency manage another part, we'll split these into separate components. Learn more in our <u>Guide to self-management</u>.

When self-managing plan funding, we understand that most people try to do the right thing but sometimes make mistakes. We want to help you do the right thing. This means if you do make a mistake, such as spending your NDIS funds on something that's not an NDIS support, we'll work with you to resolve the issue. We'll also look at supports and strategies we can include in your plan to help you manage your funding in the way you want. Find out more about spending in accordance with your plan.

If we think there's an unreasonable risk to you if you, your nominee, child representative or registered plan manager manages your funding, we may need to do a CEO-initiated plan variation. We might also do this if you don't spend your funding in line with your plan or on

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NDIS supports. Learn more about what we mean by an unreasonable risk to you in <u>Our Guideline – Creating your plan</u>.

Update who must provide a support or how a support must be provided

If your current plan specifies that an NDIS support must be provided in a certain way or by a specific provider your plan can be updated. We do this to update who must provide a support or how a support must be delivered.⁴² Learn more about <u>How do we include NDIS supports in your plan?</u>

For example, your plan might say that a specific provider must provide your NDIS supports. If that provider closes down, then we can vary your plan to update who the new specific provider is.

Add crisis or emergency supports because of a significant change to your NDIS support needs

If a significant and unexpected change happens in your life, we may be able to vary your plan to add crisis or emergency supports.⁴³ To do this, there are certain criteria that must be met.

We'll do this when your needs for NDIS supports have changed and you need an urgent change to your NDIS plan.⁴⁴ Sometimes we won't need to vary your plan if you have a crisis or emergency because we don't need to change your NDIS supports. When we're thinking about varying your plan to include crisis or emergency supports, we must look at if there has been a significant change to your:

- functional capacity. When we say functional capacity, we mean the things you can and can't do because of your disability⁴⁵
- informal supports. This means a change in family, friends and unpaid carers who
 were providing you with support but suddenly they can't⁴⁶
- living situation.⁴⁷ For example, following a natural disaster you may need extra supports to live in temporary housing that doesn't meet your disability support needs.

We must also make sure that the crisis or emergency support is for either:

- a specific period of time.⁴⁸ For example, this could be for one-month if a family member who supports you every day suddenly goes to hospital. We could fund a support worker until the family member can support you again.
- a once-off support.⁴⁹ For example, if a sudden change in your mobility means you urgently need a wheelchair.

We may need to respond quickly in the event that you need crisis or emergency supports. In this case, we may need to do a plan variation. This is to make sure your disability support needs are met until we can do a plan reassessment.

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We must also think about if we should be funding the support. Some supports are funded by other state, Commonwealth or territory programs.⁵⁰ For example, if a storm damages your home, they may offer you a natural disaster payment and crisis accommodation funding. In this case, we won't vary your plan to include crisis or emergency supports.

When we add these emergency supports to your plan, we'll let you know how you can use them and for how long. Generally, these NDIS supports won't be for the whole length of your plan. We'll check in with you regularly over this time. Near the end of this specific time period, we'll check in to see if your plan can continue without these emergency supports. If it can't, we may need to do a plan reassessment.

If we're not sure your disability-related support needs will be met, we might decide to vary your plan. We may add funds for a specific period of time and bring your reassessment date forward. This is so we can provide the immediate support you need and see if your disability-related support needs are met. Towards the end of this specific time period, we'll do a reassessment to see what your ongoing disability-related support needs are.

We might decide not to vary your plan if there are supports in your plan that you can use flexibly.

Case example

Leigh is 20 years old and lives at home with his dad, Geoff. Geoff is Leigh's only informal support and helps him with all of his personal care needs. Leigh also has support workers to help him get around his house and the community.

Recently, Geoff had an accident and suffered a broken leg. Geoff needs rehabilitation and won't be able to help Leigh like he usually does. Geoff is expected to recover well and receive medical clearance to provide care to Leigh again in 10 weeks' time.

Because of Geoff's accident, Leigh needs urgent personal care support as he is unable to manage this independently. This is a significant change for Leigh because Geoff usually supports him with all of his personal care needs. He needs an increase in his support worker hours for personal care and support with his mobility. He calls his local area coordinator and asks for a plan variation to get more NDIS supports to cover this.

Leigh's planner can see that his current plan won't cover his urgent support needs and approves an additional 10-weeks of personal care support.

Leigh's local area coordinator checks in with him to see if he needs more help or linkages to supports in the community.

We receive information or reports after your plan has started that we requested during planning

We can vary your plan if it relates to the information or report we requested.⁵¹

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For example, when we created your plan, we asked for an occupational therapist assessment and report. This told us about your assistive technology needs to support your mobility goal. If we receive this report after we have already approved your plan, we may decide to vary your plan to include any assistive technology that is recommended in the report which meet all the NDIS funding criteria.

We need to adjust your plan due to a change to the reassessment date

If we extend your plan reassessment date, the NDIS supports in your plan will not change. As the funding will now be for a longer time, we'll adjust the funds in your plan to account for the longer timeframe.⁵²

For example, if your plan is meeting your needs, we might change the reassessment date, so your plan goes for longer. If we do this, we'll adjust the funding for NDIS supports to cover the extra time.

If we bring your reassessment date forward, the NDIS supports in your plan won't change. However, as the funding is now for a shorter time, we'll adjust the funds to account for the shorter plan timeframe.⁵³

We make a minor variation to your plan which increases your funding

Sometimes we'll make a minor variation to your plan which increases your funding by adding another reasonable and necessary support.⁵⁴ We can do this if the support is:

- only needed for a specific amount of time. For example, one-month
- a once-off support. 55 For example, a wheelchair.

We must also make sure that the support is not the same or doesn't give you the same support outcomes as another support already included in your plan.⁵⁶ It must also be one or more of the following. The support is:

- for replacing, repairing or maintaining assistive technology in your previous or current plan.⁵⁷
- urgently needed to support your economic participation for a period of time.⁵⁸ For example, if you have an opportunity to start a job before there is time to do a plan reassessment. In this case, we may add specific employment supports that you need so you don't miss out on the opportunity.
- urgently needed to help you build your skills or support a life change.⁵⁹ For example, if your child is starting school a year earlier than planned. Now they may need more support to help build their skills to manage this life change.

We may decide to increase the amount of funding for a reasonable and necessary support in your current plan.⁶⁰ We can only do this if the support is:

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- a home modification, design or construction⁶¹
- vehicle modification⁶²
- assistive technology.⁶³

We can vary the funding for one of these supports if:

- you can't buy that support with the funding in your current plan.⁶⁴ For example, you have funding in your plan for vehicle modifications based on an approved quote.
 When you contact the provider the cost of materials has increased. In this case, you'll need more funding to cover the cost of the same vehicle modifications.
- the way the supports were agreed to be provided has changed.⁶⁵ For example, you are living in a remote area and a single physiotherapist travels there regularly. They had agreed to fit your assistive technology on one of their regular trips. The provider shuts down and there are no other physiotherapists in the area who can fit your assistive technology. You now have to pay extra for another physiotherapist to travel and fit your assistive technology. In this case, you'll need more funding to cover the cost of the same supports.
- there is extra unexpected information needed such as quotes, assessments, services
 or materials.⁶⁶ For example, you're having home modifications completed. After work
 started, termites and rot were discovered in the floor. The floor must be repaired for
 the home modifications to be completed. So, you'll need more funding to cover the
 costs of the same home modifications.

To learn more go to Home modifications explained.

We may need to respond quickly in the event that you need urgent supports before your plan reassessment date. In this case, we may need to do a plan variation. This is to make sure your disability support needs are met until we can do a plan reassessment.

Case example

Elijah is 5 years old and has cerebral palsy. Elijah requires an ankle foot orthotic (AFO) to improve his walking pattern and stability.

He has had a growth spurt and his current AFO is now too small and needs to be changed.

Elijah's mum Rose is his child representative. Rose asks their early childhood partner to help them make this change to Elijah's plan.

It is clear to Elijah's planner that Elijah still requires the use of an AFO. We said this was a reasonable and necessary support in his current plan.

Elijah's planner decides to vary his plan and approves funding for a new AFO. Elijah doesn't need any other changes to his plan.

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What is a plan reassessment?

We can do a plan reassessment at any time.⁶⁷ We can reassess your plan if you ask us to, or on the CEO's own initiative if we think it's needed.⁶⁸

When we do a plan reassessment, we can decide to create a new plan, or we can decide to vary your current plan.⁶⁹ This depends on your situation.

When we're thinking about if we'll do a plan reassessment, we'll look at if there are significant changes to your situation meaning that your needs for NDIS supports have changed. Some of the things we'll look at are if your:

- functional capacity has changed.⁷⁰ When we say functional capacity, we mean the things you can and can't do because of your disability
- informal supports have changed.⁷¹ This means a change in family, friends and unpaid carers who were providing you with support. For example, a family member's situation changes, and they can no longer support you on an ongoing basis.
- living situation has changed⁷²
- life is changing in a significant way. For example, you are starting or leaving school, tertiary education or employment.⁷³

Some other reasons we may need to do a plan reassessment are:

- we need to include the total funding amount, funding components or funding periods in your plan for the first time. This is because of the updated laws for the NDIS
- your plan reaches the reassessment date⁷⁴
- if it's been 5 years since your last plan reassessment.⁷⁵

We'll also think about:

- if there's been a change to your right for compensation for personal injury from another Commonwealth, state or territory agency. For example, you're eligible to get an amount of money for personal injury under an insurance claim following a car accident. We must think about this when deciding if we will do a plan reassessment.
- when your next CEO-initiated plan reassessment is.⁷⁶ For example, if your next CEO-initiated plan reassessment is in one month we'll wait until then. If it's in 6 months, we may do one earlier.

When we think about doing a plan reassessment, we'll look at any documents or information you give us. For example, a report from your allied health professional. We'll also think about your individual situation and anything you tell us.⁷⁷ We may use this information, or other information that we think is relevant, to decide if we need to do a plan reassessment.⁷⁸

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How can I ask for a change to my plan?

A change to your plan could be a <u>plan variation</u> or a <u>plan reassessment</u>.

There are 3 ways you can ask us for a change in your plan:

- complete <u>change of details or change of situation form</u>
- call us
- visit one of our offices.

You may decide to ask for a change to your plan if, for example:

- there has been a change in your situation that is impacting your needs for NDIS supports
- you want to change how the funding is managed
- you urgently need a change in supports.

You may need to give us any new information to help us decide if we'll do a plan change. The type of information or evidence we need can depend on the reason you're asking for a plan change. This may include any assessments, reports, or other information. These are important to help us understand how your situation has changed. Learn more about what evidence you need to give us before we create or change your plan?

You can give us any new evidence about your support needs when you get it. If you're not sure what to give us, you can talk to your my NDIS contact, support coordinator or recovery coach. You can also give us new evidence during your <u>check-in</u>.

For example, you might ask for a change in your plan because your disability needs have changed. You may have trouble doing things you used to be able to do. We'll likely need an assessment or report from an appropriately qualified professional about how your support needs have changed. This may be your doctor, a specialist, or an allied health professional like an occupational therapist.

If you only want to change <u>how the funding is managed</u> in your plan, we might be able to do a <u>plan variation</u>. We may not need new information if everything else is the same, for example, you probably won't need assessments or reports. We may ask you some questions about this change to make sure there aren't any risks to you.

There may be some situations where you won't be able to self-manage or use a registered plan manager for your NDIS funding.⁷⁹ Learn more about this in What are your options for managing your funding?

Your <u>plan nominee or child representative</u> can ask us to make a change to your plan on your behalf.

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You can also give consent for someone else to ask us to do a change to your plan on your behalf. For example, this could be an advocate, family member or friend.

If you want to give consent for this, there are 3 ways you can do it:

- fill in the Consent for a third party to act on your behalf form
- send us a letter or email
- contact us and we'll make a written note.

Learn more about consent.

You can't ask for a change to your plan if your plan is suspended.⁸⁰ Learn more about <u>plan</u> <u>suspensions</u>.

How can I change my goals?

You can change your statement of goals and aspirations at any time, you just need to let us know.⁸¹ We'll update your plan with your new statement of goals and aspirations. We'll give you a copy of your varied plan within 7 days of getting your changed statement.⁸² This change results in a variation to your statement of goals and aspirations rather than a new plan.⁸³ We can only change your statement of goals and aspirations if you ask, we can't decide to change them for you.

We don't make any other changes to your plan if you only ask us to change your participant statement of goals and aspirations. The NDIS supports funded in your plan, how your funding is managed, and when we must reassess your plan, all stay the same.⁸⁴

Learn more about setting your goals and the information about you in your plan.

What happens after I request a change to my plan?

When we receive your request to change your plan, we'll look at the information you have given us to make our decision.

Request for a plan variation

If you request a plan variation, we can decide to:

- vary your plan⁸⁵
- not vary your plan⁸⁶
- let you know we need more time to make our decision.⁸⁷

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We must make our decision about your request for a plan variation request within **21 days** of receiving your request.⁸⁸ We'll send you a letter telling you about our decision and our reasons behind it.⁸⁹

There may be times we'll tell you we need more time to make our decision. When we do, then we must either vary the plan or decide to not vary the plan as soon as reasonably practicable. ⁹⁰ What is reasonable will depend on whether we have requested any information or reports. ⁹¹ We may ask you to provide more information to help us make our decision. ⁹² Or we may ask you to get an assessment or examination or both, and provide us with a report or reports. ⁹³

If we request more time to make our decision, we'll decide whether to vary your plan within:

- 28 days; or
- 50 days if we are addressing complex needs.⁹⁴

If you don't agree with our decision to vary your plan, or not vary your plan, you can ask us to review this decision. ⁹⁵ Learn more about <u>internal reviews</u>.

Request for a plan reassessment

If you request a plan reassessment, we can decide to:

- vary your plan⁹⁶
- reassess your plan⁹⁷
- not reassess your plan.⁹⁸

Just like plan variations, we must make our decision about your request for a plan reassessment within **21 days** of receiving your request.⁹⁹

We'll send you a letter telling you about our decision. If we decide to vary your plan, or not reassess your plan, we'll provide you with reasons for our decision. ¹⁰⁰ If you don't agree with our decision to vary your plan, or not reassess your plan, you can ask us to review this decision. ¹⁰¹ Learn more about internal reviews.

If we don't decide within **21 days**, we are taken to have decided not to reassess your plan.¹⁰² We'll review this decision automatically.¹⁰³ We call this an automatic internal review. We'll let you know in writing if we do an automatic internal review.¹⁰⁴ You don't need to do anything.

Learn more about automatic internal reviews in Our Guideline - Reviewing our decisions.

If we decide to reassess your plan, we must complete the reassessment 105 and either:

- vary your plan (as a result of the reassessment)¹⁰⁶ or
- prepare and approve a new plan. 107

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When do we decide to change your plan?

We may decide to do a CEO-initiated plan change if your plan needs a <u>variation</u>¹⁰⁸. For example, to make changes to how your funding is managed if you, your child representative, your plan nominee or registered plan manager have not:

- spent funding on NDIS supports
- spent funding in line with your plan.¹⁰⁹

We understand that people can make mistakes when they or their plan manager are managing their NDIS funding. This is why before we change your plan management type, we'll think about supports and strategies you could use that reduce the risks to you. This is so that you can use your preferred plan management type. To find out more about when we may do a CEO-initiated plan variation to change your fund management type, go to Our Guideline — Creating your plan.

We may also decide to do a CEO-initiated plan change if your plan needs <u>reassessment</u>¹¹⁰ For example, due to a significant change in your situation or if there is an issue with how your funding is being used.

Spending in line with your plan means only spending your funding on the NDIS supports included in your plan. To spend in line with your plan, you need to:

- spend your funding in the way we describe. This includes any stated supports, where we describe the supports you can buy more specifically
- make sure your funding will last for the whole length of your plan
- make sure your funding will last for the length of each funding period, if your plan includes funding periods and funding component amounts.

There are rules that help us decide if you'll spend your NDIS funds only on NDIS supports and in line with your plan. For more information, go to What supports can you buy with your NDIS funding?

When you buy supports in line with your plan, you need to make sure they're:

- NDIS supports or
- an agreed replacement support that relates to your disability.

For information on what is an NDIS support, what is not an NDIS support, and what can be considered a replacement support, go to What is not an NDIS support, and what can be considered a replacement support, go to What does NDIS fund?

If we decide to change your plan, we'll let you know we're doing this and what type of plan change we're doing.¹¹¹

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We must also reassess your plan before the reassessment date in your plan. We'll write to you around 3 months before your plan reassessment date to let you know it's coming up. We'll confirm the check-in details in the letter. After the reassessment we may decide to approve a new plan or vary your current plan, depending on your situation. We'll prepare the variation of your plan, or your new plan, with you.

If you don't agree with our decision to vary your plan, or approve a new plan, you can ask us to review this decision. 116 Learn more about internal reviews.

If we can't reassess your plan before your reassessment date, your current plan will continue beyond the reassessment date. We'll write to you to let you know if this is going to happen.

Sometimes a plan will say that in certain situations we must reassess the plan. ¹¹⁷ For example, your plan might say we need to reassess it once you leave school.

We must reassess your plan at least every 5 years. However, this doesn't mean we'll only reassess your plan every 5 years. This will depend on your individual situation. We'll talk to you about this to work out when your plan reassessment will be, based on what best suits your needs.

During your plan, we'll check in to see how you're going. We'll talk with you about how the NDIS supports in your plan are meeting your disability support needs.

We'll check in with you:

- at regular times, for example each year
- if we think your plan might not be working for you.

Learn more about <u>check-ins</u>.

If the check-in shows your plan is meeting your disability support needs, we won't do a plan change and your current plan will continue. If we find that your plan isn't meeting your needs, we will discuss changing your plan.

We may decide to do a plan change if we know your plan isn't working for you. For example, you may not have the right NDIS supports you need, or you may not be using your NDIS supports. This information might come from:

- you or someone else in your life
- your local area coordinator, early childhood partner, or support coordinator
- our system that shows how you're using the funding in your plan.

If we think you need a change to your plan, we'll let you know. We'll prepare your plan with you, and we might not need to ask you all the usual planning questions. Your goals can stay the same if you don't want to change them.¹¹⁸

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If we decide to change your plan, we must provide you with a copy of your:

- varied plan within 7 days of being approved¹¹⁹
- new plan within 7 days after your plan is approved. 120

There may be times where you only want to change your statement of goals and aspirations. When you do, we'll provide you with a copy of your varied plan **within 7 days** of receiving your changed statement.¹²¹

Learn more about how long this takes in our Participant Service Charter.

How do we make a change to your plan?

We'll work with you to change your plan. We'll think about the type of change your plan needs to meet your disability support needs. We'll let you know what type of plan change we're doing, a plan reassessment or plan variation, and what that means.

We'll do a plan change either in person or over the phone. It depends on what suits you best. You can ask a family member, friend, advocate, or other support person to be involved in your plan change.

Everyone's plan changes are different. When we're working with you to change your plan, we may look at different things. This will depend on what type of change we're doing and the sort of changes we're making.

Until we have finished updating our computer systems, new and reassessed plans completed in our new computer system will go for one year.

Sometimes when we're doing a plan reassessment or plan variation we may also check to see if you're still eligible for the NDIS. We call this process an eligibility reassessment. This is a normal part of the plan reassessment and variation process. Learn more about <a href="https://www.when.gov/when

What happens during a plan variation?

When we do a plan variation, we'll work with you to understand how your situation has changed. We may be able to make changes to your plan without doing a full plan reassessment. We think about the information you have provided and work with you to make any necessary changes to your current plan.

All NDIS supports in your varied plan must meet the <u>NDIS funding criteria</u>. This includes the NDIS supports that were already in your plan.

When we vary your plan, we'll let you know the date when the variation to your plan starts. This can only be on or after the day we decide to vary your plan. 122

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What happens during a plan reassessment?

When we do a plan reassessment, we must complete the reassessment and decide to either:

- make changes to vary your plan without doing a full reassessment¹²³
- prepare and approve a new plan.¹²⁴

If we vary your plan, it will only include a total funding amount, funding component amounts and funding periods if they're already in your plan.

If we prepare and approve a new plan because of a reassessment, your new plan will include:

- a total funding amount
- funding component amount(s) and
- funding periods.¹²⁵

This is because of changes to the laws for the NDIS.

When we do a plan reassessment, we think about all your information including your goals, situation, and disability support needs. We reassess all the supports you require to meet your disability support needs. You may not need some of your supports anymore, while others may increase or change.

We'll usually look at how you've been using your NDIS supports and how well your previous plans worked for you. 126 We also look at if you have spent your funding on NDIS supports in line with your plan. 127 This will help us decide if the NDIS supports are still working for you.

If you haven't used all the funding by your plan reassessment date, it doesn't mean we'll reduce the funding in your next plan. There may be very good reasons why you weren't able to use the funding.

We might talk about any problems you have using your funding, and support you may need to get help with this. If you consistently don't use your NDIS funding, we think about whether the supports really do meet the <u>NDIS funding criteria</u>. For example, they may not be effective and beneficial for you if you're not actually using them.

Your needs and situation will most likely change over time. This means your NDIS funding may change over time. For example, your disability support needs might increase, and we might consider funding more NDIS supports.

Or we might fund NDIS supports to help you build your skills in a particular area. Once you have built those skills, you won't need that funding anymore. So, we probably won't include

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that funding in your next plan. NDIS supports to build your skills may have met the NDIS funding criteria before, but they might not in the future.

All NDIS supports in your new plan must meet all NDIS funding criteria.

What happens if we need more information?

Sometimes we may ask you for more information or an assessment to help us change your plan. This will help us work out your disability support needs when we change your plan. We'll ask for different types of information for different types of supports. We might ask you for:

- a new assessment and report, 128 if your last assessment was a long time ago and doesn't tell us about your current support needs. For example, an occupational therapist may write a letter to explain why you need a specific type of wheelchair
- more information about the types of supports you need and how often you need it, from a suitably qualified person. This could be your doctor or psychologist
- information from a provider about how you have progressed towards your goals.

The most important information we gather about what NDIS supports to include in your plan comes from you. We collect this information during <u>check-ins</u>. You can also give us this information anytime there's a change in your situation.

We must give you a reasonable opportunity to give us the information.¹²⁹ We'll review the information you give us to make sure the NDIS supports meet the NDIS funding criteria for you. The sooner you can give us the information, the sooner we can change and approve your plan.

In some situations, we may need to approve your plan before you get an assessment or give us information. If this happens, we may then do a CEO-initiated plan change after we receive the reports. This could be a plan variation or a plan reassessment.¹³⁰

For example, we might approve your plan, so you have funding for urgent self-care supports. We could then do a CEO-initiated plan change afterwards, once you have the assessments and reports for other supports, such as assistive technology.

How can I prepare for my plan change?

We have some guides you can use to help you prepare for your plan change. You can find the <u>Changing your plan factsheet</u> on our website. You can also check out our pages on <u>Supports you can access</u> and <u>Would we fund it</u>.

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Before your plan change, you need to gather any assessments, reports, and other information to help us change your plan. You might have this information yourself, or you might need to get it from a support coordinator or provider.

If you have a <u>support coordinator or specialist support coordinator</u>, we'll need a report from them. The report should tell us how your NDIS supports are meeting your needs and helping you pursue your goals.

For children younger than 9, we have an <u>Early childhood provider report form</u>. Providers should complete this form to tell us about the supports the child has received. The form tells us the information we need, such as:

- what services were provided and who provided them
- a progress update, including what stage the child has got to
- future recommendations.

When would we decide not to change your plan?

There may be several reasons we decide not to change your plan if you ask us to do a plan reassessment or plan variation.

When would we decide not to do a plan reassessment?

If you ask us to do a plan reassessment, we need to think about whether your current plan can meet your support needs. We also think about the reason you are asking for a plan reassessment. Reasons we would decide to not do a plan reassessment¹³¹ include:

- if you don't have any new information or evidence
- if your request is only about wanting more funding, or NDIS supports that other participants have
- if informal, community or mainstream supports can meet your needs
- if your plan is suspended
- if your plan reassessment date is soon, we may decide to wait until then.¹³²

If you don't have any new information or evidence

We generally won't change your funding if there's no new information about how your support needs have changed. For example, we generally won't do a plan change if:

 you changed your mind about the NDIS supports you want after we approved your plan

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- there's no evidence your disability support needs have changed. That is, you can still
 do the same things you could do when we approved your plan
- there's not enough evidence to show you need changes to your NDIS supports, such as more therapy.

Remember, you can give us new information or evidence anytime there is a change in your situation. Learn more about what evidence do you need to give us before we create or change your plan?

If your request is only about wanting more funding, or NDIS supports that other participants have

We generally won't change your funding just because you want more NDIS supports, or the same supports as other participants. This may include:

- more funding because you've used all the funding in your plan, even though your situation hasn't changed
- extra NDIS supports because another participant has these supports
- NDIS supports added to your plan without enough evidence showing why you need them
- funding for NDIS supports that don't relate to your disability support needs. 133

If informal, community or mainstream supports can meet your needs

We generally won't change your funding if friends, family or other services can meet your needs. For example, if you ask for things:

- that are not NDIS supports¹³⁴
- that we'd reasonably expect family or friends to do for you. For example, short-term care if the family members who usually support you are sick. 135

If your plan is suspended

We can't do a plan change if your plan has been suspended. This usually happens after:

- you've been overseas for more than 6 weeks. However, there are some situations we can extend the 6-week period of your plan.
- <u>you don't claim compensation</u> you're entitled to after we ask you to, for example, after you've had an injury.

Learn more about <u>plan suspensions</u>.

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If your plan reassessment date is soon, we may decide to wait until then

When deciding to reassess your plan we must think about when we'd next be required to reassess it. This will depend on the reassessment date in your current plan. 137

We do this because it's not practical for us to reassess your plan if your plan reassessment date is soon. For example, if your reassessment is in less than one month it's likely that a planning meeting has already been organised. However, if your reassessment date is 6 months away it may be better to do one sooner.

When might we decide not to do a plan variation?

NDIS laws tell us when we can do a plan variation. 138

We'll decide not to vary your plan if the request doesn't meet the things the <u>rules say about plan variations</u>, or the following reasons.

For example:

- your plan is suspended or ceased¹³⁹
- you have flexible funding left in your plan that can be used
- it is to avoid or replace an existing review or appeal pathway
- we don't have enough evidence to support a variation
- you've used all the funds in your plan quicker than specified in your plan, without evidence showing why this was needed
- you're requesting to self-manage or use a registered plan manager, but we think it's an unreasonable risk to you. 140 Learn more in Our Guideline Creating your plan.

We'll also decide not to vary your plan if we think we should do a plan reassessment instead. The reasons we may decide that your plan needs a reassessment instead of a variation are:

- we have varied your plan several times and your plan isn't meeting your needs, so we need to do a reassessment
- we can't vary your plan without looking at the other supports in it
- your situation has changed significantly, and you need a reassessment
- you're wanting more funding to help with a new or changed goal, and the request is not minor
- your informal, community or mainstream supports can't meet your needs.

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How can we support you?

If we decide not to change your plan, we can link you with other services who may be able to help you. Talk to your my NDIS contact, support coordinator or recovery coach about how they can help you get other supports you may need.

If you don't agree with our decision not to change your plan, <u>you can ask us for an internal review</u> of that decision. This means another one of our staff, who wasn't involved in the original decision, will look at whether we made the right decision.

Learn more about <u>reviewing our decisions</u>.

What if you're waiting for an internal review decision?

If your situation and support needs change while you're waiting for an internal review, contact us. Depending on the changes to your situation and support needs, we may decide to do a CEO-initiated plan change.¹⁴¹ You can also ask for a participant-requested plan change.¹⁴²

If we decide to change your plan while we're completing the internal review, our decision will form part of that internal review.¹⁴³ This will happen automatically, and you don't need to do anything. Learn more about <u>internal reviews</u>.

What if you're waiting for an external review decision?

If you're a participant and your situation or disability support needs change during the external review process, contact your case manager. Your case manager is our staff member who helps us at the Tribunal. Your case manager will explain the options available to you. We may also need to let the Tribunal know what we think we should do if it might affect your external review.

You can still use the NDIS supports in your plan while the Tribunal considers your external review.

Learn more about external reviews.

What happens after I have had a change to my plan?

After we decide to change your plan, you'll get a copy of it. We'll also give you a letter with the reasons for the decision we made. If we vary your plan, you'll get a copy of your plan within 7 days of the day the variation to your plan starts.¹⁴⁴ If we approved a new plan, you'll get a copy within 7 days of your plan being approved.¹⁴⁵

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Your local area coordinator, early childhood partner or support coordinator can help you start using your plan. For example, they can explain the NDIS supports in your plan, help you connect with supports outside the NDIS, and help you find service providers.

Learn more about your plan.

What if I'm not happy with my plan?

If you're not happy with your new plan, you should talk to your my NDIS contact. They may be able to explain the decision, clarify how you can use the funding, or help you fix any problems. If you'd like more details about the supports that make up your plan's total funding amount, we can send this to you. You can contact us and ask for a funding breakdown. This could be when you get your varied plan or when we meet with you to approve your new plan.

If you don't agree with your new plan or varied plan, you can ask us to review our decision. We call this process an <u>internal review</u>. This means another one of our staff, who wasn't involved in the original decision, will look at whether we made the right decision.

It's up to you to decide whether you want an internal review. We don't decide this for you.

You need to ask for an internal review of our decision within 3 months of receiving our decision. We can't do an internal review if you ask us after 3 months has passed. If you ask us after 3 months, we'll let you know what other options you have. Learn more about reviewing our decisions.

Reference list

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<sup>1</sup> NDIS Act.s33(1)
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² NDIA Act s 33(2)

³ NDIS Act s 33(2)(c).

⁴ NDIS Act ss 47; 47A.

⁵ NDIS Act s 48.

⁶ NDIS Act s 99.

⁷ NDIS Act s 100.

⁸ NDIS Act s 47; NDIS Act s 47A.

⁹ NDIS Act s 47A(1).

¹⁰ NDIS Act s 47A(2).

¹¹ NDIS Act s 47A(9).

¹² NDIS Act s 47A(3).

¹³ NDIS Act s 47A(1)(a)(ii).

¹⁴ NDIS Act s 47A(1A).

¹⁵ NDIS Act s 47A(1A).

¹⁶ NDIS Act s 47A(1A)(d)(iii).

¹⁷ NDIS Act s 47A(1A)(b).

¹⁸ NDIS Act s 47A(1A)(c).

¹⁹ NDIS Act s 47A(1A)(d)(i).

²⁰ NDIS Act s 47A(1)(a)(ii).



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<sup>21</sup> NDIS Act s 47A(1A)(d).
<sup>22</sup> NDIS Act s 47A(1AB)((j)(i);NDIS Act s 47A(1A)(d)(i).
<sup>23</sup> NDIS Act s 47A(1A)(d)(ii).
<sup>24</sup> NDIS Act s 47A(1A)(d)(iii).
<sup>25</sup> NDIS Act s 47A(1A)(d)(iv).
<sup>26</sup> NDIS Act s 33(2A)(b)(c).
<sup>27</sup> NDIS Act s 33(2A)(d).
<sup>28</sup> NDIS Act s 47A.
<sup>29</sup> NDIS Act s 47A(1A)(ag).
<sup>30</sup> NDIS Act s 47(1A)(a).
<sup>31</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.2.
<sup>32</sup> NDIS Act s 47A(1A)(d)(iii).
33 NDIS Act s 47(1A)(b).
<sup>34</sup> NDIS Act s 44(1)(c).
<sup>35</sup> NDIS (Management of Funding and Plan Management) Rules r 6.5.
<sup>36</sup> NDIS Act s 44(2A).
37 NDIS Act s 44(2).
<sup>38</sup> NDIS Act ss 44(1)(c), 44(2A)(c), 74(3C)(b).
<sup>39</sup> NDIS Act s 44(1AA)(i); NDIS Act s 44(2AA)(i).
<sup>40</sup> NDIS Act s 44(1AA)(ii); NDIS Act s 44(2AA)(ii).
<sup>41</sup> NDIS (Management of Funding and Plan Management) Rules r 6.2.
42 NDIS Act s 33(3); NDIS Act s 47A
<sup>43</sup> NDIS Act s 47A(1A)(d)(i).
<sup>44</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.3(a,c).
<sup>45</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.3(b)(i).
<sup>46</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.3(b)(ii).
<sup>47</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.3(b)(iii).
<sup>48</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.3)(d)(i).
<sup>49</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.3)(d)(ii).
<sup>50</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.3(e).
<sup>51</sup> NDIS Act s 47A(1A)(d)(ii).
<sup>52</sup> NDIS Act s 47A(1A)(d)(iii).
53 NDIS Act s 47A(1A)(d)(iii).
<sup>54</sup> NDIS Act s 47A(1A)(d)(iv); NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.4(a).
<sup>55</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.5(a)(i)-(ii).
<sup>56</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.5(c).
<sup>57</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.5(b)(i).
<sup>58</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.5(b)(ii).
<sup>59</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.5(b)(iii).
<sup>60</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.6(a).
61 NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.6(a)(i).
<sup>62</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.6(a)(ii).
<sup>63</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.6(a)(iii).
<sup>64</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.7(a).
<sup>65</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.6(b).
<sup>66</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.7(c).
67 NDIS Act s 48(1).
68 NDIS Act s 48(2).
69 NDIS Act s 48(7)(i)-(ii).
<sup>70</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 6.3(a)(i)
71 NDIS (Variation and Reassessment of Participants' Plans) Rules r 6.3(a)(ii)
<sup>72</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 6.3(a)(iii)
<sup>73</sup> NDIS (Variation and Reassessment of Participants' Plans) Rules r 6.3(a)(iv)
<sup>74</sup> NDIS Act s 49(a).
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<sup>75</sup>NDIS (Variation and Reassessment of Participants' Plans) Rules r 5.2.
<sup>76</sup>NDIS (Variation and Reassessment of Participants' Plans) Rules rr 6.3(b)-(c).
<sup>77</sup>NDIS (Variation and Reassessment of Participants' Plans) Rules r 6.3(d).
<sup>78</sup>NDIS (Variation and Reassessment of Participants' Plans) Rules r 6.3(e).
<sup>79</sup> NDIS Act s 44(1)(c); NDIS (Management of Funding and Plan Management) Rules r 6.3.
<sup>80</sup> NDIS Act s 41(2)(c).
81 NDIS Act s 47(1).
82 NDIS Act s 47(3).
83 NDIS Act s 47(2).
84 NDIS Act s47(2).
85 NDIS Act s 47A(4)(a).
86 NDIS Act s 47A(4)(b).
87 NDIS Act s 47A(4)(d).
88 NDIS Act s 47A(4).
89 NDIS Act s 100(1).
90 NDIS Act s 47A(8)(b).
<sup>91</sup> NDIS Act ss 47A(8),50.
<sup>92</sup> NDIS Act s 50(2)(a).
93 NDIS Act s 50(2)(b).
94 Participant Service Charter
95 NDIS Act s 99(1) Items 6, 6A, 6B.
<sup>96</sup> NDIS Act s 48(3)(a).
97 NDIS Act s 48(3)(b).
98 NDIS Act s 48(3)(a).
99 NDIS Act s 48(3).
<sup>100</sup> NDIS Act ss 99(1), Items 6 and 6C; 100(1).
<sup>101</sup> NDIS Act ss.99(1) Item 6C; 100(2)
<sup>102</sup> NDIS Act s 48(4).
<sup>103</sup> NDIS Act s 100(1A)(a)(ii).
<sup>104</sup> NDIS Act ss.48(4),100(1A)(a)(ii).
<sup>105</sup> NDIS Act s 48(7)(a).
<sup>106</sup> NDIS Act s 48(7)(b)(i).
<sup>107</sup> NDIS Act s 48(7)(b)(ii).
<sup>108</sup> NDIS Act s 47A.
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<sup>113</sup> NDIS Act s 49(1)(b)(ii).
<sup>114</sup> NDIS Act s 49(1)(b)(i).
<sup>115</sup> NDIS Act ss 47A,33(2)
<sup>116</sup> NDIS Act s 99(1)item 6,6A, 6B,6C
<sup>117</sup> NDIS Act s 49A
<sup>118</sup> NDIS Act s49
<sup>119</sup> NDIS Act s 47A(11).
120 NDIS Act s 38.
<sup>121</sup> NDIS Act ss 47(3), 47A(11).
<sup>122</sup> NDIS Act s 47A(10).
<sup>123</sup> NDIS Act s 48(7)(b)(i).
<sup>124</sup> NDIS Act s 48(7)(b)(ii).
<sup>125</sup> NDIS Act s 33(2).
<sup>126</sup> NDIS Act s 33(5)(f).
<sup>127</sup> NDIS Act s 33(5)(g).
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- ¹³² NDIS (Variation and Reassessment of Participants' Plans) Rules r 6.3(c).
- ¹³³ NDIS Act s 34(1)(aa).
- ¹³⁴ NDIS Act ss 10(4),(9).
- ¹³⁵ NDIS Act s 34(1)(e).
- ¹³⁶ NDIS Act s 41(2)(c).
- ¹³⁷ NDIS (Variation and Reassessment of Participants' Plans) Rules r 6.3(c).
- ¹³⁸ NDIS ss 47, 47A.
- ¹³⁹ NDIS Act s41(2)(c)
- ¹⁴⁰ NDIS (Management of Funding and Plan Management) Rules r 6.2.
- ¹⁴¹ NDIS Act s 48(2).
- ¹⁴² NDIS Act s 48(2).
- ¹⁴³ NDIS s 101.
- ¹⁴⁴ NDIS Act s 47A(11).
- ¹⁴⁵ NDIS Act s 38.
- ¹⁴⁶ NDIS Act s100.

¹³⁰ NDIS Act s 50(3) Note.

¹³¹ NDIS Act s 48(3)(c).