NDIS UPDATE: NEW NDIS LAWS PASSED BY PARLIAMENT

Need this information translated or explained in another language?

We can assist you with this, just let us know.

We understand that changes to the NDIS may be creating a sense of uncertainty for you, your family, carers and providers. We've summarised these changes and acknowledge there is a lot of information here! Rest assured, you can speak with us or another trusted person about these changes, any concerns you have, and/or information you are receiving from other sources about the changes.

For now, NDIS Plans can continue to be used as usual. As new rules, guidelines, information and tools are rolled out by the NDIA, we'll support you to understand what they mean for you and discuss options within the NDIS and outside of NDIS.

The National Disability Insurance Scheme Amendment (Securing the NDIS for Future Generations) Act 2026 became law on 20 August 2026 after receiving Royal Assent. Some changes began on 27 August 2026, while others will be introduced gradually through to 2030.

Summary of key NDIS changes

From 27 August 2026, tighter rules are for requesting an unscheduled plan reassessment (section 48) are introduced. An unscheduled reassessment will generally only be available where there has been a significant and ongoing change in a participant's functional capacity and support needs, or an unanticipated, significant and ongoing change in their living, education, work or informal support arrangements.

The new rules do not remove your right to request an internal review of a reviewable decision under section 100 of the NDIS Act; this is a separate process. If the NDIA makes a reviewable decision that you disagree with, you may still be able to request a section 100 internal review, subject to the applicable time limit and requirements.

Plan reassessment (section 48): You are asking the NDIA to look at your plan again because something has significantly and ongoingly changed.

Section 100 review: You are asking the NDIA to review a decision you disagree with, where the decision is a reviewable decision under the NDIS Act. For example, you disagree with the funded supports approved in your plan after a plan review meeting.

Other key changes occurring from 27 August 2026 include:

- Only the participant, their nominee or guardian will be able to request an unscheduled reassessment.
- Participants and Plan Managers will need to keep records about NDIS support payments for three years.
- The NDIA has up to 90 days to decide whether to reassess your plan. If NDIA does not decide within 90 days, the request is automatically considered declined and the NDIA must automatically review that decision. You do not need to request this internal review.

The 90-day rule and automatic review creates a legal safeguard against the NDIA leaving a reassessment request undecided for long periods of time or indefinitely. Once 90 days passes without a decision, the law creates a reviewable outcome, a deemed refusal and triggers an internal review.

- The NDIA will have stronger powers to investigate fraud and non-compliance. Participants and providers may be asked to provide more information. Penalties may apply where providers do not meet their legal obligations.

From 1 October 2026, the Government plans to progressively reset funding allocations for Social, Civic and Community Participation and Capacity Building – Daily Activities (including therapy and capacity-building supports) as participants' plans are reassessed or renewed.

The Government has stated that it intends to reduce Social, Civic and Community Participation funding by 50% and Capacity Building – Daily Activities funding by 10%. However, these exact percentages are not specified in the legislation itself. The legislation, which received Royal Assent on 20 August 2026, instead gives the Minister the power to make a separate legislative instrument a "support determination" setting the percentage reductions. As of 28 August 2026, the Government continues to describe the 50% and 10% figures as its planned reductions, pending that determination.

The changes do not mean that a participant's entire NDIS plan will automatically be reduced by 50% or 10%. The proposed reductions apply to specified funding components for Social, Civic and

Community Participation and Capacity Building – Daily Activities, rather than to the participant's entire plan.

Important supports are excluded from these reductions. These include employment supports, disability-related health supports*, supports in the home (such as assistance with eating, drinking, dressing, toileting, laundry, cleaning, community nursing and medication), home and vehicle modifications, personal mobility equipment and transport, continence and menstruation consumables, and Specialist Disability Accommodation.

There are also specific protections for high-support-needs participants who require continuous 24-hour disability-related care. The Government states that these participants will continue to receive their critical 24-hour supports, and the social, civic and community participation funding reduction will not affect those critical supports.

The changes are being introduced progressively. From 1 October 2026, the reset will apply as relevant plans are reassessed or new plans are approved.

*Disability-related health supports are health supports you need because of your disability. They help you manage the effects of your disability in your everyday life.

Examples may include, depending on the person's disability and NDIS eligibility: Continence support, Dysphagia support, Respiratory support, Diabetes management, Nutrition support, Wound and pressure care, Seizure/epilepsy management, Podiatry and foot care.

From October 2026, Thriving Kids will begin a phased rollout, with the government planning to change NDIS access from January 2028 for some children aged eight and under with developmental delay or autism and low to moderate support needs. As of 28 August 2026, Queensland has not yet signed the agreement to implement Thriving Kids. The Queensland Government has said it needs more information about eligibility, funding, service delivery and transition arrangements before it commits to the program. This means there is currently uncertainty about how and when Thriving Kids will operate in Queensland. Further information is expected as the Australian and Queensland Governments continue discussions.

Other key changes occurring from 1 October 2026 include:

- The NDIA will have the ability to suspend plans if a participant does not respond to requests for information (only after the NDIA have made at least five attempts of contact with the participant, nominee or authorised representative over an extended period).

From 1 December 2026, Participants or their plan managers will need to make claims within 90 days of service delivery, reduced from two years.

From 1 February 2027, the NDIS will introduce clearer rules about which supports it can fund. The aim is to make funding decisions fairer and more consistent across participants with similar support needs and circumstances. The new rules will also provide clearer guidance about which supports should be funded by the NDIS and which supports should be provided by other systems, such as health, education or other government services.

Further to this, parents or carers are expected to provide the care that would normally be expected for a child of a similar age. This may include things such as supervision, personal care, transport, emotional support, and behavioural support. However, parents are not expected to provide the additional care and support that their child needs because of their disability when those needs are substantially greater than those of other children of a similar age.

When deciding whether it is reasonable to expect family members or other informal supports to provide care, the NDIS must consider factors such as: the age and capacity of the family member or carer, the type and intensity of support required, the impact of providing the support on the person's wellbeing and family relationships, whether providing the support creates a risk of harm, abuse or neglect to the participant, family member or carer; and whether the support is reasonable and appropriate for that family member or carer to provide.

> Tip for families/carers: When you are preparing information for the NDIS, it is important to explain what support your child or person you care for needs because of their disability, how much support they need, and how this compares with what would normally be expected for a person of the same age. It is also important to explain the impact of providing this support on parents, carers and other family members.

Other key changes occurring from 1 February 2027 include:

- When a plan reaches its reassessment date, a renewed plan will be created. Unspent funding from the previous plan will not carry over into the renewed plan.

From 1 April 2027, NDIS participants will start to move to a new way of planning called new framework planning. The change will happen gradually, and you will be told when it is time for you to move to the new planning process. Until then, you can continue using your current plan as normal.

The new planning process will use a new process called a *Support Needs Assessment* to help work out your NDIS budget. As part of this process, you will meet with a trained NDIS assessor to talk about your daily life, your disability-related support needs and your preferences. The assessment will consider things such as your functional capacity, life stage and environment. After the assessment, you will receive a Support Needs Assessment report. The NDIA will use this report to help create your NDIS plan and decide your total plan budget. You will receive a copy of the report so you can understand how your support needs were considered when your plan was created.

> The Support Needs Assessment is used to help determine the participant's plan budget. It is not used to determine whether someone is eligible for the NDIS.

From 1 July 2027, mandatory registration will begin rolling out for more higher risk supports. This includes some personal care; daily living supports and supports delivered in closed settings. The rollout is expected to continue until the end of 2030. Participants will need to use registered providers for supports that are brought into the mandatory registration system. A new NDIA provider enrolment system will begin for most providers, with all providers in scope expected to be enrolled by December 2027.

> NDIS provider registration is about whether a provider meets the NDIS Commission's requirements, including quality and safety standards.
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> NDIS provider enrolment is about recording providers and their details with the NDIA, including what supports they provide and where they operate. It will also help the NDIA manage payments and provider information.

From 1 October 2027, Plan management is expected to move to a commissioned panel of approved providers. Participants who use plan management will need to choose a plan manager from the panel. The Government has proposed a six-month transition period. The detailed panel criteria and commissioning process are still being developed.

From 1 January 2028, the way people access the NDIS will change. People who apply for the NDIS from this date will need to meet new eligibility requirements. Access will be based on a standardised, evidence-based assessment of functional capacity. This assessment will look at how a person's disability affects their everyday life.

Existing participants will be gradually reassessed over a three-year period against the new access criteria. You will be given information before you are reassessed. People with significant and permanent disability will continue to be able to access the NDIS if they meet the new requirements. The Government has not yet provided all of the details about how these assessments will work. More information will be provided as the new assessment process is developed.

The Government is considering different prices for some supports depending on whether your provider is registered or unregistered with the NDIS. This could mean that some supports cost less when they are provided by an unregistered provider. The Government is currently consulting on this change. The NDIS has recommended that some Social, Civic and Community Participation supports provided by unregistered providers may have a 10% lower price from 1 January 2027. This change has not yet been finalised. The Government is consulting on different pricing for some supports delivered by registered and unregistered providers.

Other key changes occurring from 1January 2028 include:

- Thriving Kids is expected to be fully operational nationally. New NDIS access arrangements begin for children aged 8 and under. Children aged 8 and under with developmental delay and/or autism and low-to-moderate support needs will be supported through Thriving Kids and other mainstream/foundational supports rather than the NDIS. Children with permanent and significant disability or high support needs will remain eligible for the NDIS, subject to the usual requirements.

From 1 July 2028, Support Coordination will move to a new Support Coordination and Connection service. Support Coordination will no longer be funded as an individual support in participant plans. Instead, the NDIA will select providers through a merit-based process to deliver the new service. Participants will be supported to transition to the new service and choose from the providers selected by the NDIA. The Government has not yet released all the details about how the new service will work, but it is intended to provide similar support to current Support Coordination, although the way it is delivered may be different.