



# Disability Rights Advocacy Service Inc

## The Disability Support Pension (DSP) Fact Sheet

### What is the DSP?

The Disability Support Pension (DSP) is a government payment for people with disability or health issues that stop you from working at least 15 hours a week.

### Important things to note:

Your DSP claim may be rejected if you do not have the right medical evidence. Additionally, you may be eligible for the DSP immediately if you have a **manifest impairment**.

A condition will meet the manifest medical rules if any of the following apply:

- You are permanently blind
- You need nursing home level of care
- You have a terminal illness with average life expectancy of less than 2 years
- You have an intellectual disability with an IQ of less than 70
- You have category 4 HIV/AIDS

The eligibility requirements are very strict, some people have had to apply several times before receiving a DSP. If you disagree with a decision, you can lodge an appeal. See page 10.



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## Non-medical criteria:

In order to be eligible for the DSP, you must meet the age and residency requirements.

### 1. Age

The DSP is for people between the ages of 16 and 65.

### 2. Residency

You must be an Australian Citizen or have been a permanent resident for ten years. You must have lived in Australia for at least five years in a row.

- If you received your disability in Australia, you may have a Qualifying Residency Exemption.
  - You will qualify if you have been a resident of Australia for less than 10 years, and
  - Gained continuing inability to work while in Australia, or
  - You were under 16 when you became a resident and had continuing inability to work due to your disability at this time.

## Medical Evidence:

Centrelink needs to know how your disability or health issue affects your ability to work. Your treating doctor (the doctor who is responsible for providing you with medical evidence about your disability) may be able to help you.

Centrelink usually requires reports from treating doctors who are specialists. For example, if you experienced severe depression, your specialist may be a psychiatrist.

You may also need additional information from other health professionals like: Clinical Psychologist, Occupational Therapist, Speech Pathologist, Physiotherapist.



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## Step 1:

**Identify which treating doctor knows your disability or health issue best and make an appointment.**

Your family General Practitioner (GP) may be able to help you to find who this is and provide you with a referral. If you have more than one disability or health issue, you may need to see and obtain reports from more than one doctor.

When you book the appointment with your treating doctor, tell them:

- You are applying for the DSP.
- You will be asking them for medical evidence for your claim.

This gives your doctor the opportunity to provide enough time for the appointment and what will be discussed.

Before the appointment, it is useful to consider what you want to discuss. It may be helpful to have a friend or family member assist with this.

- Make a list that includes the disabilities or health issues you have.
- List how your disability affects your ability to work, and how you feel when you do go to work or have tried to go to work.

## Step 2:

**At your appointment:**

Having someone you trust attend the appointment with you may be helpful, as they can support you to speak up for yourself and remember to ask what you need. Bringing any supporting information or guides like this one may help too.



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## Step 3:

### Medical Evidence:

To access the DSP, you must be able to prove that:

✧ Your condition is diagnosed, reasonably treated, and stabilised.

During the appointment with your doctor, explain to your doctor that you think you require the DSP and would like a letter to support your claim.

The letter should describe what your disability or health issue is and should clearly state if it is:

- **Diagnosed**
- **Stabilised**
- **Reasonably treated** and
- If it prevents you working 15 hours a week

In the letter, your doctor should include how this affects your ability to work.

Centrelink have a measure for doctors to utilise when writing a letter in support for a DSP claim, which are called Impairment Tables. Additionally, your doctor should include your functional capacity score from the relevant impairment tables.

#### Stabilised:

When your disability or health issue will not improve with reasonable treatment.

#### Reasonably Treated:

Treatment is something to manage or improve your functional capacity like medication or therapy.

#### Functional Capacity:

What you can do, could do, and can't do with your disability.

#### Impairment Tables:

The document Centrelink use to decide functional capacity. There are lists for 15 different functions of the body that provides points for different impairments.



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In that doctor's report, they must identify and state:

- ✧ That your diagnosis for your condition and the ways it is impacting you,
- ✧ That you have been formally diagnosed with your condition by a professional,
- ✧ That your condition is unlikely to significantly improve within the next two years,
- ✧ That because of your condition, you cannot work; and
- ✧ That you have had all the possible treatments for your condition and that there is no further treatment available that would allow you to work.
- ✧ If you are prevented from working 15 hours a week for the next 2 years.
- ✧ Your doctor must refer to the Impairment Tables that measure the level of functional impact of your illness or disability. These may be represented by one or more of the Impairment Tables.
  - These can be found at [Social Security \(Tables for the Assessment of Work-related Impairment for Disability Support Pension\) Determination 2023 \(legislation.gov.au\)](https://legislation.gov.au/ultra/idx/idx.html?view=detail&docid=648463)
  - **Please note:** Impairment Table 7 *Brain Function* where there is mild functional impact, they must show difficulties with at least **2** of the listed conditions.
  - **Please note:** ADHD is now covered under Table 7 *Brain Function* as of April 1, 2023.
- ✧ You may be medically eligible for a DSP immediately if you score 20 points or more on one impairment table.
- ✧ You may have to satisfy additional requirements related to finding work before being eligible for the DSP.
- ✧ A person may be eligible for the DSP immediately if they have an IQ less than 70, terminal illness, permanent blindness, category 4 HIV/AIDS or need nursing home level care.



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## Step 4:

### Are you ready to make a DSP Claim?

You **are ready** to make a DSP claim if the letter/s from your treating doctor/s say:

- You have a manifest impairment OR
- You cannot work more than 15 hours a week and score 20 or more in one Impairment Table.

You **are not ready** to make a DSP claim if the letter/s from your treating doctor/s say:

- You have 20 points, but they are across 2 or more impairment tables.
- See Step 5: Program of Support.

**Note:** If you have less than 20 points on the Impairment Tables you are not eligible for the DSP. Additionally, if your disability or health issue worsens you can ask your treating doctor for a new assessment.

## Step 5:

### Program of Support:

If you do not score 20 points or more in one Impairment Table, you may need to complete a Program of Support (PoS) before receiving a DSP.

A PoS is a plan with a Disability Employment Service to:

- Get you ready for work, or
- Train you for work, or
- Find you work, or
- Help you get work, or
- Help you keep working.



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To be considered a PoS, the plan should:

- Be agreed to by you and the Disability Employment Service,
- Be for at least 18 months, over a three-year period,
- Include supports you may need for your disability,
- Consider any other personal circumstances you may have.

If you are having problems with your plan:

- Tell your Disability Employment Service why,
- Ask them to write a new plan with you.

## Step 6:

### Income and Assets

Centrelink needs to know the income and assets you have to determine your rate of payment.

There are two ways to complete this form.

- Update your income and assets on myGov,
- Access the online form at [www.humanservices.gov.au/individuals/forms/sa369](http://www.humanservices.gov.au/individuals/forms/sa369) or visit a Centrelink office and ask for the form in person.

#### Income:

Money you receive from:

- Work
- Compensation
- Inheritance
- Money from investments like

#### Assets:

Things you own that are worth money, such as a car or valuable items in your household.

#### myGov:

An online government system to claim and manage government payments like the DSP. An account can be created on the website, [www.my.gov.au](http://www.my.gov.au)



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## Step 7:

### DSP Claim Checklist:

Before making a DSP Claim, you must ensure that you have copies of the following documents:

- Residency Visa (if you are not an Australian citizen)
- Identification documents
- Medical evidence (letter from your doctor)
- **Consent to disclose medical information form**
- Program of Support evidence (Participation in a Program of Support form)
- Income and Assets form or you have updated your income and assets on myGov.

### Consent to Disclose Medical Information Form

This is a form you sign that allows your doctor to provide Centrelink with details about your disability or medical condition if Centrelink asks for them. You can get this form from a Centrelink Office or [www.humanservices.gov.au/individuals/forms/sa472](http://www.humanservices.gov.au/individuals/forms/sa472)

## Step 8:

### How to make a DSP claim online:

You can make a Centrelink DSP claim one of two ways, online or in person.

To make a claim online –

1. You must first visit the myGov website and log into your account.
2. Click on the 'Centrelink' box, which you can add this by selecting 'Link another service'.
3. Click on 'make a claim'.
4. Find 'Disabled, ill or injured' in the list of claims and select by clicking on 'get started'.
5. Now you can complete the DSP claim online. You can upload documents in the checklist on page 21 directly into myGov.





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## Step 9: How to make a DSP claim in person:

The other way to submit a DSP claim is in person.

To do this you must firstly go to a Centrelink office to obtain the form. Alternatively, you can find it on their website at [www.humanservices.gov.au/individuals/forms/sa466](http://www.humanservices.gov.au/individuals/forms/sa466).

Once all of the questions on the form have been completed, you can hand it into a Centrelink branch accompanied with the documents listed on the checklist on page 21.

Ask Centrelink to date and stamp your application. It is a good idea to ask for a copy of your stamped application from to take with you in case you need to contact Centrelink again about your application.

## Step 10: What happens next:

If Centrelink needs more information or assessments for your claim, they will contact you. An example of this would be if they asked you to attend a Job Capacity Assessment or a Disability Medical Assessment.

If attending an assessment, you are able to bring someone to support you and any new medical evidence.

### Job Capacity Assessment:

Is made by Centrelink after a DSP claim is made. A JCA will look at –

- Your medical evidence
- How your disability affects your ability to work
- What supports are available that could improve your functional capacity.

### Disability Medical Assessment:

An assessment by an independent government doctor to look at your medical evidence. They will contact you by text or post with details. That doctor will write a report for Centrelink about how your disability affects your work. Centrelink will use this medical information in their decision on your DSP application.



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## Step 11:

### What to do if you disagree with a Centrelink decision:

You have the right to appeal against a decision about you made by Centrelink if you disagree with it. In the first instance, you may ask Centrelink to review the decision, which is called an Authorised Review Officer (ARO) review. If you still believe Centrelink is wrong, you can appeal the decision further to the Administrative Appeals Tribunal (AAT).

If you appeal to the Administrative Appeals Tribunal within 13 weeks of the decision and your appeal is successful, you can receive back pay from the time you claimed the DSP.

#### **A note for people under 35 years of age**

If you are granted a DSP whilst under the age of 35, and are assessed as able to work between 8 and 15 hours a week, you may have ongoing participation requirements until you turn 35.

This is similar to a Program of Support and there are other options available if you have a mental illness (e.g. counselling). Exemptions can be made under some circumstances.

If your health condition or disability worsens and you feel you are unable to work 8 hours, you may ask for an Employment Services Assessment.

#### **Employment Services Assessment:**

This is a test requested by Centrelink so you can be referred to a Disability Employment Service. They will look at:

- Your disability
- Work history

- What work you can do now
- What would you be trained for
- Other issues that may affect you