



NDIS Quality
and Safeguards
Commission



Hello

The National Disability Insurance Agency (NDIA) and the NDIS Commission are taking action against Plan Managers who are engaging in and/or facilitating theft, intimidation, coercion, identity theft and fraud.

Plan Managers like you are responsible for how, where and when NDIS participants spend their plans. Those that have the best interests of participants at heart should not need to compete with unethical and criminal entities.

Our focus includes Plan Managers who collude with Support Coordinators, health professionals and participants to defraud the NDIS.

Theft, coercion, identity theft and fraud is unacceptable and must stop. These practices:

- Harm participants by decreasing funding for supports that improve participant outcomes.
- Negatively impact the reputation of Plan Managers.
- Undermine the sustainability of the NDIS.

The NDIA and NDIS Commission have zero tolerance for any Plan Managers engaging in malicious behaviours, and we are progressively removing these Plan Managers and their networks from the NDIS. We are also referring these Plan Managers to law enforcement agencies.

We are writing to all Plan Managers to remind you of your obligations to:

- Meet record keeping responsibilities.
- Meet conflict-of-interest obligations.
- Not engage in practices which facilitate the misuse of NDIS funds.
- Comply with all Commonwealth, State and Territory laws, including tax obligations.

Some Plan Managers are facilitating overspending of participant plans

NDIS Plan Managers have a significant role to play in supporting participants to spend in accordance with their plan. Our data shows that in many cases this is not happening.

We are seeing many cases where Plan Managers are facilitating rapid plan spending and then contacting the NDIA for a reassessment and a funding increase.

A participant having spent their budget before the plan reassessment date is not always a reason to request a plan reassessment.

What you need to do

All Plan Managers have a responsibility to operate according to the Guide to Plan Management and the [NDIS Code of Conduct](#). This includes helping participants to manage the funding in their plans appropriately and to spend in a manner which leads to achieving goals and outcomes.

For further information visit [Plan Management](#).

What we are doing to ensure compliance

The NDIA and NDIS Commission are partnering with Commonwealth and State Government agencies to remove and prosecute unethical and irresponsible Plan Managers and their networks. These agencies include the Australian Taxation Office (ATO), the Australian Federal Police (AFP), Australian Criminal Intelligence Commission (ACIC), the Australian Competition and Consumer Commission (ACCC) and the Australian Securities and Investments Commission (ASIC).

That includes the following interventions:

- Exponentially increasing the volumes of claims being assessed by Payment Integrity, Compliance and Fraud Investigations functions. Any specific fraudulent claims are being used to identify the underlying provider, Support Coordinator or Plan Manager. In many cases, this is resulting in broader integrity activity (including reviews of historical claims) against an entity or a network.
- Leveraging the capabilities of the 17 Commonwealth Agencies in the Fraud Fusion Taskforce to identify, prevent and disrupt fraud. This includes intelligence sharing, prosecution and other regulatory actions.
- Providing historical and current provider payment data to the ATO, including data on NDIS payments being made to Plan Managers. The ATO is using this data to identify Plan Managers who fail to meet basic tax obligations.
- Increasingly identifying and providing payment data to Services Australia and other agencies, to ensure that Plan Managers are not facilitating double dipping across various government payment and welfare systems.

- Writing to over 300 Plan Managers advising them that the NDIA has implemented payment stops on all future claims. This allows the NDIA to manually review all claims before releasing any claims from these Plan Managers. This activity will increase in the coming months.

Working together, we have already prevented the registration of, and deregistered or banned, hundreds of individuals or entities. Our joint activities will dramatically increase in the coming months.

Reporting unethical and irresponsible behaviour

Any providers exploiting the NDIS or participants will be identified, will be removed from the NDIS, and will be referred to relevant law enforcement agencies for investigation.

For those of you that remain committed to ensuring the integrity of the NDIS, if you do have any concerns about the practices of any other NDIS providers (including Plan Managers, health professionals or Support Coordinators) or participants, we strongly encourage you to report suspicious behaviour through the [NDIA Fraud Reporting Form](#).

Yours sincerely

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NDIS Quality and Safeguards
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