Practice Guidance

2025

Flexibility of Stated Supports

This is one of the most asked questions from DIA members and Participants since the introduction of the new legislation and rules on 3rd October 2024.

How flexible are stated supports, particularly within the Improved Daily Living Supports Category (IDL).

A lot has changed with the introduction of the new legislation, Section 10 Rules (NIDS Support Lists) and further advice provided by the NDIA.

Below we step through the:

1. NDIS Legislation,
2. NDIS Legislation Explanatory Memorandum,
3. NDIS Rules – Plan Administration
4. NDIA Operational Guidelines
5. NDIA Guidence

The NDIA have provided updated advice on how this is to be interpreted and applied to Stated Supports.

NDIS LEGISLATION

46 Acquittal of NDIS amounts

Requirement to spend money only on NDIS supports and in accordance with plan

(1) A participant who receives an NDIS amount, or a person who receives an NDIS amount on behalf of a participant:

(a) may spend the money only on NDIS supports for the participant; and

(b) must spend the money in accordance with the participant's plan (subject to paragraph (a)).

Note 1: A failure to comply with this subsection (including due to the operation of subsection (1A) or (1B)) may lead to a variation of the participant's plan under section 47A:

(a) to change the management of the funding for supports under the plan (see sections 43 and 74); or

(b) for a new framework plan—to specify a proportion of flexible funding that may be spent only on specified NDIS supports for the participant (or to change such a proportion); or

(c) for any plan—to reduce the duration of funding periods for particular funding under the plan and the amount of funding that will be provided during any particular funding period.

Note 2: See also subsection 182(3) (debts due to the Agency).

(1B) If:

(a) a person (the ***first person***) other than a participant acquires a support for a participant or provides a support to a participant; and

(b) either:

(i) the support is not an NDIS support for the participant; or

(ii) the participant's plan is not complied with in connection with the acquisition or provision of the support; and

(c) a payment is made under the National Disability Insurance Scheme in relation to the support, whether to the first person or any other person;

then the first person is taken for the purposes of subsection (1):

(d) to have received an NDIS amount on behalf of the participant that is equal to the payment; and

(e) if subparagraph (b)(i) of this subsection applies—to have spent that money other than on NDIS supports for the participant; and

(f) if subparagraph (b)(ii) of this subsection applies—to have not spent that money in accordance with the participant's plan.

NDIS LEGISLATION – EXPLANATORY MEMORANDUM

Item 75 - Subsection 46(1)

Section 46 deals with the acquittal of NDIS amounts, including spending of those amounts and the retention of records.

This item inserts new headings to assist the reader to navigate the section. The first heading explains that the following provisions deal with 'Requirement to spend money only on NDIS supports and in accordance with plan' at the beginning of the section. The second heading explains that the remainder of the section deals with 'Requirements relating to the retention of records' .

New subsection 46(1) provides that a participant who receives an NDIS amount, or a person who receives a NDIS amount on behalf of a participant may spend money only on NDIS supports for the participant and in accordance with the participant's plan.

The requirement to spend money only on NDIS supports for the participant means that funds may only be used to obtain supports that have a constitutional basis, are appropriately funded by the NDIS, and are needed by the participant as a result of their impairment or impairments.

The requirement to spend money in accordance with a plan means that any specifications or limitations set out in a plan must be complied with. For example, if funding periods are specified in a participant's plan, they are required to comply with those and not exceed the funding allocated to those funding periods.

The notes under subsection 46(1) assist the reader by pointing to the consequences that may arise as a result of a failure to comply with subsection 46(1). The first note reminds the reader that a failure to comply with the requirements may lead to a variation of the participant's plan, in particular in relation to the plan management type and the type and duration of funding periods for a plan.

The second note points the reader to section 182 of the Act that deals with debts due to the Agency.

Subsections 46(1A) and (1B) ensure that the requirements of subsection 46(1) apply where a participant (or another person spending money on behalf of the participant) does not receive the NDIS amount directly, for example because the NDIS amount is paid directly to a provider without the participant or other person receiving that amount first.

NDIS RULES – PLAN ADMINISTRATION

https://www.legislation.gov.au/F2013L01064/latest/text

This means the participants NDIS Plan.

Part 6 Describing supports in participant's plan

6.1 A participant's statement of participant supports (referred to as the ***statement*** in this Part) specifies, among other things:

(a) the general supports (if any) that will be provided to, or in relation to, the participant; and

(b) the reasonable and necessary supports (if any) that will be funded under the NDIS.

6.2 Some supports in the statement may be described generally, whether by reference to a specified purpose or otherwise. For such supports, the participant will have a high degree of flexibility over the implementation of the supports.

6.3 In contrast, some supports may be specifically identified in the statement. Such supports will have to be purchased or provided in the way described in the statement.

This means 'stated supports'

This means 'described in the participants plan'

NDIA OPERATIONAL GUIDELINE - YOUR PLAN
Current as of 10 December 2025
https://ndis.gov.au/media/7818/download?attachment

Your plan

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Spending in line with your plan means only spending your funding on the 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
- if your plan includes funding periods and funding component amounts, make sure your funding will last for the length of each funding period.

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When your NDIS supports are **stated**, we describe the support specifically. It means you must buy NDIS supports in the way we have described in your plan.[15] We'll be clear when we describe a support category as stated in your plan.

When support categories are described as stated, you have less flexibility. You must use the funding in your plan to buy NDIS supports exactly how we describe them. This includes how the support is provided. For example, we'll sometimes require the support to be provided:

- by a particular service provider
- by a particular qualified person
- through a particular delivery mode or method, or in a special way.

Some stated supports are more specific than others. More specific supports have less items you can spend your funding on.

For example, we could say in your plan 'meal preparation must be limited to $200 per month' or 'this funding must be used for physiotherapy'.

NDIA OPERATIONAL GUIDELINE - CREATING YOUR PLAN
Current as of 23 October 2025
https://ndis.gov.au/media/7816/download?attachment

Creating your plan

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Capacity building supports are stated. This means you can only use this funding to buy the NDIS supports described in the capacity building budget.

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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.

NDIA OPERATIONAL GUIDELINE – THERAPY SUPPORTS
Current as of 23 October 2025
https://ndis.gov.au/media/7816/download?attachment

Therapy supports

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We include therapy supports in your plan as a stated support under the Improved Daily Living Skills support category. This means you can only use this funding for therapy. You can't use your therapy funding flexibly to pay for other capacity building supports.[6] Learn more about how we describe supports in your plan.

Your plan may include funding for therapy supports without describing a specific therapy type. This means you have the flexibility to choose your provider, and where appropriate, the type of therapy that suits your needs. This gives you greater choice and control over the therapy type you choose, and who delivers the therapy.

You can choose if you want to spend your therapy funding on:

- individual or group sessions
- intensive blocks of therapy, or therapy at regular intervals
- a particular therapy, or combination of therapies, that will be most effective in meeting your needs at a certain time.

In some plans we may include extra details, such as a specific stated therapy type or a measurable outcome you want to achieve. When we do this, you must use your funding in the way we describe in your plan. This helps make sure you use the funding for its intended purpose.

Learn more about how to start using your plan in Our Guideline – Your plan.

NDIA GUIDENCE – MAKING THE MOST OF YOUR PLAN https://www.ndis.gov.au/participants/using-your-plan/managing-your-plan/support-budgets-your-plan

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Support budgets in your plan

Making the most of your plan - using your plan flexibly

If you have asked us to change your plan and are waiting for us to assess your request, we encourage you to continue to use your Core support budget, within your existing plan funding, flexibly to access the required disability related supports.

It's important to remember that Core funding can be used flexibly with other Core support types and not with other support types like Capacity Building.

Talk to your my NDIS contact or your NDIS partner if you need some help to use your current plan flexibly.

If you have an NDIS plan in our old computer system, your budget will have 3 support categories.

If your NDIS plan is in our new computer system, your budget will have 4 support categories.

Some of these categories include stated supports. When a support is stated, this means you can only spend your plan funds on the supports described. You can decide how you spend your funds on these supports, but you can't use these funds to buy different supports.

Other supports can be flexible. This means you can use your flexible funds to buy the kinds of supports you think will best help you work towards your goals or meet your needs, while you wait for us to come back to you on the change you've asked for.

You must make sure that the kind of supports you decide to buy are reasonable and necessary. They must be the kinds of supports you are allowed to buy with your NDIS funds.

You can read more about support categories and budgets further down on this page.

If you have previously asked for changes to your plan and your situation becomes critical while you are waiting for your plan reassessment, please call us on 1800 800 110 with your reference number so we can prioritise your request.

NDIA GUIDENCE- SUPPORT BUDGETS IN YOUR PLAN

https://www.ndis.gov.au/participants/using-your-plan/managing-your-plan/support-budgets-your-plan

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Support budgets in your plan

Stated supports – not flexible

Services listed as 'stated supports' are not flexible. This means funding has been allocated for a specific support or service, and you can't use this funding for something else. You cannot swap 'stated supports' for any other supports.

HOW SHOULD THIS BE APPLIED TO IDL FUNDING IN PARTICIPANTS PLANS

There has been a lot of discussion in online forums, communities of practice and groups like this about these changes and why Plan Managers should be asking for more evidence before lodging claims.

Below are three examples.

EXAMPLE ONE:

> **Improved Daily Living Skills: $13,325.34**
> Assessment, training or therapy (including Early Childhood Intervention) to help build your skills, independence and community participation.
>
> Support for:
> $9,311.52 of funding for an occupational therapist to assess and provide strategies to increase your social, self-care, executive functioning, independent daily living and motor skills.
>
> $4,013.82 of funding for a psychologist to assess and provide strategies to increase your understanding of emotions and behaviours. Assessments and reports tracking my progress must be submitted to the NDIS before your plan reassessment.
>
> **This is a Stated support**
>
> **This funding is plan managed. A registered plan manager will help you to manage this funding**

As this support is **'Stated'** the NDIS Participant must use their funding to buy NDIS supports <u>exactly how the NDIA have described it in their plan</u>.

This means the participant has <u>no</u> flexibility on what supports they purchase within the IDL category.

The Participant can only purchase to to:

- $9,311.52 on OT Support; and
- $4,013.82 on Psychology Support.

EXAMPLE TWO:

Improved Daily Living Skills: $12,318.12

Support for an Occupational Therapist, Physiotherapist and Speech Pathologist to help build your skills, independence and community participation. Your Occupational Therapist, Physiotherapist and Speech Pathologist will need to provide the NDIS with a progress report 6 weeks before the next plan reassessment.

This is a Stated support
This funding is plan managed. A registered plan manager will help you to manage this funding

As this support is **'Stated'** the NDIS Participant must use their funding to buy NDIS supports exactly how the NDIA have described it in their plan.

This means the participant has limited flexibility on what supports they purchase within the IDL category.

The Participant can only purchase:

- OT Support,
- Physiotherapist Support, and
- Speech Pathologist Support

However, as there is no dollar or hour value listed for each support, the Participant can choose how much of each they purchase within the total IDL budget of $12,318.12.

EXAMPLE THREE:

Improved Daily Living Skills: $18,817.08

Assessment, training or therapy (including Early Childhood Intervention) to help build your skills, independence and community participation. These services can be delivered in groups or individually.

Support for a multidisciplinary team of allied health professionals to assess and provide strategies to develop cognitive, emotional, social, self care and communication skills. Your therapists will need to provide the NDIS with a progress report 6 weeks before the next plan reassessment.

This is a Stated support
This funding is plan managed. A registered plan manager will help you to manage this funding

As this support is **'Stated'** the NDIS Participant must use their funding to buy NDIS supports exactly how the NDIA have described it in their plan.

This means that the funding has been **'Stated'** at the category level. The participant may purchase any support within the IDL category, provided it is an NDIS Support as per Section 10 Rules, to the total value of $18,817.08.

Each therapist engaged by the Participant needs to provide an end of plan report.

NOTE

Disability Intermediaries Australia provides this guidance based on the most current information available within the NDIS and represents DIA's interpretation of current legislation, rules, operational guidelines and information available from the National Disability Insurance Agency (NDIA) and the NDIS Quality and Safeguards Commission.

DIA reminds members and the wider sector that when in doubt and where individual situations require individual considerations, participants should be directed to seek approval in writing from their NDIA Planner (delegate), their myNDIS Contact or the NDIA National Contract Centre to clarify their individual circumstances.