



Disability Support Pension (DSP) Reviews for Under 35s

If you are under 35 years of age and were granted Disability Support Pension (DSP) between 1 January 2008 and 31 December 2011 your on-going qualification for DSP may be reviewed using the new *Tables for the Assessment of Work-related Impairment for DSP* (Impairment Tables). These impairment tables came into effect on 1 January 2012. The review will include whether you have a continuing inability to work at least 15 hours per week.

What are the current requirements for Disability Support Pension?

To be eligible for DSP you must be 16 or over and:

- meet the **residence** requirements; and
- have a permanent medical condition which attracts an impairment rating of **at least 20 points on the new Impairment Tables**; and
- be unable to **work at least 15 hours per week** for the next two years; and
- be unable to **undertake a training activity** to prepare for work within the next two years, independently of a **program of support (POS)**; and
- Since 3 September 2011 new claimants of DSP are required to have **actively participated in a POS prior to their claim**, unless exempt from this requirement.

Since 1 January 2014 most DSP recipients under the age of 35 are required to participate in a Program of Support (POS) or a suitable work-focused activity unless they have been exempted for a particular reason.

For detailed information about Disability Support Pension see the **Disability Support Pension Factsheet**

What are the New Impairment Tables?

The new Impairment Tables were introduced on 1 January 2012. For more information about the tables and where to find them see the **Disability Support Pension Factsheet**

What is a Continuing inability to work?

Unless your "inability to work" is "manifest", a Job Capacity Assessment will be undertaken to determine if you have a "continuing inability to work". Even if you have a score of at least 20 points you may not be assessed as having a continuing inability to work.

A continuing inability to work means that:

- you **are unable to work** 15 hours or more per week for the next two years; and
- you **are unable to do a training activity** within the next two years that would prepare you to work independently of a program of support.

“Work” means any type of suitable work.

For more information about a Continuing Inability to work see the **Disability Support Pension Factsheet**.

Will I have to meet the Program of Support (POS) requirements?

If you are under 35 and were granted DSP between 1 July 2008 and 31 December 2011 and your ongoing eligibility under the new tables is being reviewed for the **first time** you will not be required to have participated in a POS but your continuing incapacity to work at least 15 hours per week will be assessed.

It is, however, likely that your ongoing qualification for DSP will be reviewed again 36 months after this review. If you have not actively participated in the required work focused activities prior to that second review you may not meet the POS requirement to qualify for DSP at that next review.

Medical Review Disability Support Pension

Usually Centrelink will send you a form which you and your doctor will need to complete.

Prior to completing this form it is a good idea to discuss the eligibility requirements for DSP with your doctor and to provide them with a copy of the tables that are most relevant to your medical condition/s. Your doctor should be able to provide an opinion about how many impairment points they would award you in relation to each of your medical conditions.

You should also obtain reports from any other treating health professionals/specialists that you have seen since you were granted DSP.

If you have the following conditions you will need to provide specialist reports:

- **eyesight problems** you will need to provide a report from your ophthalmologist or ophthalmic surgeon;
- **mental health conditions** you will require a report from either a clinical psychologist or psychiatrist confirming that you have been diagnosed with a mental health condition;
- **hearing problems** you will require a report or evidence from an audiologist or an Ear, Nose and Throat specialist stating that you have been diagnosed as having hearing loss; or
- if you have an **intellectual impairment** and this is your only condition, the Medical Report can be completed by your treating psychologist.

The review form may also ask you to provide information about whether you have been or are currently:

- employed; or
- employed under the Supported Wage System or by an Australian Disability Enterprise employer; or
- attending a Program of Support with a Disability Employment Service.

If any of the above applies, you will also need to provide details about your employment and/or your attendance at the Disability Employment Service (DES).

The Job Capacity Assessment (JCA)

Your impairment rating and continuing inability to work is usually assessed by the Job Capacity Assessor at the Job Capacity Assessment.

You should take all your medical evidence, including reports from your treating doctor/s, specialist/s and any other treating health professionals you have seen to the Job Capacity Assessment.

The Job Capacity Assessor will then complete their assessment and will decide if you are still eligible for DSP. Sometimes after a JCA, you may be referred for a face-to-face Disability Medical Assessment with a government-contracted doctor. The doctor will review your medical evidence to confirm:

- your diagnosis is supported by the evidence;
- your condition is fully diagnosed, treated and stabilised;
- your condition is permanent for the purpose of DSP qualification; and
- the impairment rating assigned by the JCA using the Impairment Tables is supported by the medical evidence.

They will then provide the assessment to Centrelink and they will decide if you are still eligible for DSP.

If you are assessed as having an impairment rating of less than 20 points and/or that you do not have a continuing inability to work, your DSP will be cancelled. If you think the decision is wrong, you can appeal.

What if my DSP is cancelled?

You have 13 weeks to appeal the cancellation decision if you want to be back paid if your appeal is successful. If you appeal outside the 13 weeks and your appeal is successful you can only be back paid from the date you lodged the appeal.

You can also ask that your DSP continue to be paid pending the outcome of review of the decision. For more information about appealing see the **Disability Support Pension Factsheet**.

If you are no longer qualified for DSP you should test your qualification for Youth Allowance (if you are under 22 years of age) or Newstart Allowance if you are over 22 years of age.

Please note: This information contains general information only and is accurate at May 2015. It does not constitute legal advice. If you need legal advice about social security entitlements, please contact your local Welfare Rights Centre/Advocate. Welfare Rights Centres are community legal centres, which specialise in social security law, administration and policy. They are entirely independent of Centrelink. All assistance is free. Contact Welfare Rights & Advocacy Service on (08) 93281751 or by email at welfare@wraswa.org.au