

**ME/CFS Financial Literacy Series:**

**Disability Support Pension**



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This project was supported by the Victorian Government's Research Fund

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1. What is the DSP and am I eligible?
2. Application process
3. Challenges for people with ME/CFS in accessing DSP- what you can do
4. What do I do if I am not successful in my DSP application?



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**What is the Disability Support Pension (DSP) and am I eligible?**



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## What is the Disability Support Pension (DSP)?

The DSP is a Centrelink payment providing financial support if you have a physical, intellectual or psychiatric condition that stops you from working, or if you are permanently blind.



**centrelink**



*Note: figures throughout are accurate as at February 2019.*

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## Steps to accessing DSP

1. Check your eligibility
2. Download the DSP application form:  
<https://www.humanservices.gov.au/individuals/for/ms/sa466>
3. Gather the medical evidence you need
4. Submit to Centrelink
5. Undertake a job capacity assessment and a program of support as requested by Centrelink
6. Appeal if necessary



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## Am I eligible?

### You must:

- be between 16 and pension age (currently 65)
- Have been an Australian resident for at least 10 years (of which no break in residence for at least a 5 year period)
- meet the income and assets tests



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### Am I eligible?

**You must:**

- have a permanent and diagnosed disability or medical condition, that means you can't work (or retrain to work) for **at least 15 hours per week in the next two years**
- need an **impairment rating of 20 points or more**
- You may also need to show you have completed a **program of support** – we will look at all of these in more detail



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### Eligibility - the income and assets test

Centrelink will take into account your assessable and deemed income to decide whether you're entitled to any DSP payment.

Assessable income can be:

- gross employment income - this is anything you earn from work, including bonuses, penalty rates, commissions, fringe benefits and salary sacrifice into superannuation.



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### Eligibility -the income and assets test

- Deemed income is from financial investments, including money in superannuation funds if you have reached the age of accessing this (usually 65+)
- The main types are:
  - savings accounts and term deposits
  - managed investments, loans and debentures
  - listed shares and securities
  - some income streams
  - some gifts you make



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### Eligibility -the income and assets test

**Asset types that are included:**

- Real estate that's not your principal residence
- Retirement village contributions
- Financial investments
- Business assets
- The market value of other assets including motor vehicles, boats, caravans, etc. may be assessed



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### Eligibility – disability/medical condition

- Qualifying for DSP is about how your disability or condition *limits your ability to work*. Centrelink calls it your 'functional impairment'
- First, a medical professional needs to fully diagnose, treat and stabilise your disability or medical condition
- Then your ability to function each day will be assessed using impairment tables and you may be asked to complete a Job Capacity Assessment and/or a Program of Support



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### How much can I receive?

If you're 21 or over with or without children, or under 21 with children

Pension rates per fortnight	Single	Couple each	Couple combined	Couple each, separated due to ill health
Maximum basic rate	\$834.40	\$629.00	\$1,258.00	\$834.40
Maximum Pension Supplement	\$67.80	\$51.10	\$102.20	\$67.80
Energy Supplement	\$14.10	\$10.60	\$21.20	\$14.10
TOTAL	\$916.30	\$690.70	\$1,381.40	\$916.30



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### Standard pension income test

Single person

If your income per fortnight is	your pension will reduce by
up to \$172	\$0
over \$172	50 cents for each dollar over \$172

Couple living together or apart due to ill health

If your combined income per fortnight is	your combined pension will reduce by
up to \$304	\$0
over \$304	50 cents for each dollar over \$304

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### DSP cut-off points per fortnight

If you're	we can't pay you when your income reaches
21 or older, single	\$2,004.60
21 or older, couple living together	\$3,066.80 combined
21 or older, couple living apart due to ill health	\$3,969.20 combined
18-20, single, no children, at home	\$1056.80
16-17, single, no children, at home	\$954.20
16-20, single, no children, independent	\$1,372.60
18-20, couple, no children	\$2,692.80 combined
under 18, couple, no children	\$2,692.80 combined

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### Eligibility – disability/medical condition

- A condition will only be given points if it is considered to be *fully diagnosed, treated and stabilised* (FDTs). They want to know your condition/s is not going to improve within the next 2 years. Your GP or specialist will need to provide this information.
- You'll need to show you've tried all reasonable treatments.
- If your Doctor says they want you to try this treatment or medication your condition may not be considered FDTs.

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### Impairment ratings

- Impairment tables are used to give an impairment rating.
- To receive DSP you need an **impairment rating of 20 points** or more (across either a single or multiple impairment table).
- The tables rate impairment across each of these areas:
  - Physical Exertion and Stamina
  - Upper and Lower Limb Function
  - Spinal Function
  - Mental Health Function
  - Brain Function
  - Communication Function
  - Digestive & Reproductive, Hearing and Visual Functions
  - Continence Function
  - Functions of the Skin
  - Functions of Consciousness



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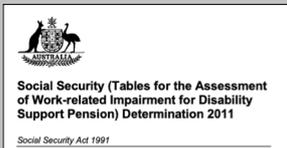
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### Impairment ratings

Google 'DSP Impairment Tables' to find the tables online. For each table the following applies:

- The table can only be used when related to a **permanent condition** resulting in a **functional impairment in that specific area** e.g. physical exertion and stamina.
- Diagnosis must be made by an appropriately qualified **medical practitioner**.



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### Example of impairment table

Points	20	<p>There is a <b>severe</b> functional impact on activities requiring physical exertion or stamina.</p> <p>(1) The person:</p> <p>(a) usually experiences symptoms (e.g. shortness of breath, fatigue, cardiac pain) when performing light physical activities and, due to these symptoms, the person is unable to:</p> <p>(i) walk (or mobilise in a wheelchair) around a shopping centre or supermarket without assistance; or</p> <p>(ii) walk (or mobilise in a wheelchair) from the carpark into a shopping centre or supermarket without assistance; or</p> <p>(iii) use public transport without assistance; or</p> <p>(iv) perform light day to day household activities (e.g. folding and putting away laundry or light gardening); and</p> <p>(b) has or is likely to have difficulty sustaining work-related tasks of a clerical, sedentary or stationary nature for a continuous shift of at least 3 hours.</p>
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### Impairment ratings

- Self-report of symptoms alone is insufficient.
- A symptom is a departure from normal function or feeling which is apparent to a patient, reflecting the presence of an unusual state, or of a disease. A symptom can be subjective or objective.
- For example, a person may have a cognitive impairment and 'foggy brain' may be a symptom.



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### Impairment ratings

- There must be corroborating evidence of each impairment and associated symptoms including:
  - a report from the person's treating doctor
  - a report from a medical specialist (e.g. neurologist, or physician) confirming diagnosis of associated conditions in this table
  - assessments or reports from practitioners specialising in the treatment and management of these conditions
  - documents within the last 2 years carry more support for the outcome of your application



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### Disability Support Pension: application process



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### Tips for collecting medical evidence

Collect as much documented medical evidence from health professionals:

1. Verification of the duration of your ME/CFS
2. The deterioration of your well-being
3. Documentation of ongoing medical treatment/s to support the claim
4. If the level of your functional ability restricts your capacity to work to LESS than 15 hours per week



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### Tips for collecting medical evidence

Start keeping a daily journal of:

- the professionals that you have visited
- the frequency and supports needed to manage access to these appointments
- assess your home for equipment to support activities
- any supports you receive including NDIS/Aged Care for Under 65 package



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### DSP Assessment of Continuing Inability to Work (CITW) - 15 Hour Rule

- To qualify for DSP you must have an impairment rating of at least 20 points and have a CITW. Both aspects are of equal importance.
- People who have an impairment rating of 20 points or more, including those with severe impairments, are not necessarily incapable of working. Their medical impairment/s may cause difficulties in many work situations but they may be able to undertake work of 15 hours or more per week, within the next 2 years.



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### DSP Assessment of Continuing Inability to Work (CITW) - 15 Hour Rule

- If the person has a severe impairment or where the person does not have a severe impairment but meets the program of support requirements, they will also be required to meet the other CITW criteria of being unable to work and being unable to be retrained for work in the next 2 years.



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### Program of support

- A program of support (POS) helps people with disability to prepare for, find and keep a job. It may include job preparation and job search, work experience and training or injury management.
- A program of support will uncover whether your condition prevents you from undertaking any work (this may be different work to what you did previously) or study of 15 hours or more per week for the next 2 years.
- This is referred to as the CITW (Continuing Inability to Work).



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### Program of support

- If you have 20 points or over on a single impairment table (rather than across multiple ITs) you will not have to complete a program of support.
- If you do not receive 20 points under a single impairment table, then you will be required to participate in or have participated in a Program of Support (POS) for at least 18 months in the 3 years before you claim, or until you've completed the program.



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### Job Capacity Assessment

- You may be asked to attend a **Job Capacity Assessment** which assesses how your condition affects your ability to work. A qualified health or allied health professional employed by Centrelink completes the assessment. There is no charge for this service.
- You can bring a friend/family member or advocate with you.

The assessor:

- considers medical evidence provided by your own treating health professional, and
- may contact them to clarify information about your condition.



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### Job Capacity Assessment – what will they ask me?

Centrelink want to know what impact the medical conditions (listed on your DSP application) have on your ability to engage in work, and to see if you might benefit from any work or training.

Some typical questions are:

- What have you been mostly doing in the last 2 years?
- In your most recent job, how many hours did you mostly work?
- Have you done any paid work at all in the last 2 years?
- What is preventing you from using skills you’ve gained?
  - For example, if you have severe arthritis the answer might be that you are no longer able to sit for long periods of time at a desk.



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### Job Capacity Assessment – what will they ask me? cont’d...

- Work Capacity, do you have any disabilities or medical conditions that affect the hours you are able to work?
  - Here they are asking you to tell them how many hours you think you could work in a typical week.
    - It may be you can only work short bursts at a time. Your assessment for DSP is based on Bandwidths. In other words, can you really perform a task for more than 2 or 3 hours without requiring a break from it?
  - Do you have any disabilities that affect the type of work that you do? E.g. bright lights, air con, heat, noise, standing, sitting.
  - How long has the condition/s affected your ability to work?



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## Disability Medical Assessment

- After the JCA, you may also be required to attend a Disability Medical Assessment. You can bring a friend/family member or advocate with you.
- During this, a Government-contracted Doctor will talk to you about:
  - your condition and medical evidence
  - the impact of your condition on your day to day life
- They will then write a report to Centrelink based on their findings.
- You'll then receive a letter with the outcome of the medical review/your application for DSP.



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## The DSP application form

Is 32 pages long.

Download here:

<https://www.humanservices.gov.au/individuals/forms/sa466>

If you need support in filling out the form you can nominate a family member.

Australian Unemployed Workers Union can also support you in completing the form.



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# BREAK

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**Challenges for people with ME/CFS in accessing DSP – and what you can do**



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**Challenges/barriers for DSP access for people with ME/CFS**

- DSP eligibility is hinged on your condition being **permanent**.
- Some DSP assessors may view ME/CFS as impermanent due to the fluctuating nature of symptoms (for some) and inconsistency of medical reports / opinions.
- Recommendations for contested treatments such as Graded Exercise Therapy and Cognitive Behavioural Therapy have also been problematic.



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**What you can do**

- **We recommend you refer to your ME/CFS as Myalgic Encephalomyelitis or ME.**
- Do not refer to your condition as Chronic Fatigue Syndrome (or CFS) as this is often misunderstood and confused with *chronic fatigue* which is a symptom of many different conditions / illnesses.



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### What you can do

- The most important factor in your application is supporting medical evidence for each functioning impact of the impairment table/s of ME/CFS to a total of 20 points.
- **Where a single condition causes multiple impairments, each impairment should be assessed under the relevant table.**
  - e.g. ME/CFS may affect different functions, thus resulting in multiple impairments which could be assessed under a number of different tables including: Physical Exertion and Stamina, Mental Health Function, Brain Function, Communication Function, Contenance Function.
- **If you have 20+ points on a single impairment table** (rather than across multiple ITs) you are more likely to qualify for the DSP due to a 'continued incapacity to work' (CITW).

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### What you can do

- Supporting medical evidence can be in the form of letters from the diagnosing specialists/your current treating physicians, and documents such as test results. Documents within the last 2 years carry more support for the outcome of your application.
- Ensure your disability assessments are based on your worst days of managing your symptoms.

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### What you can do

- If your specialist/GP recommends GET/CBT advise them that it is no longer thought to be best practice and is likely to worsen your condition (see next slide for the rationale and current recommendations).
- NB Emerge Australia is about to launch GP education which reinforces not recommending outdated treatments.
- If you are too unwell to fill out your application, you can nominate somebody else to liaise with Centrelink on your behalf.

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**Avoiding Graded Exercise Therapy/Cognitive Behaviour Therapy as a recommended treatment**

- Graded Exercise Therapy (GET) and Cognitive Behavioural Therapy (CBT) are recommended treatments for ME/CFS in Australia. This recommendation was made based on discredited research conducted in the UK in 2011, and the recommendations are now outdated
- Around the world, recommendations for GET and CBT are being removed from clinical guidelines, in keeping with biomedical research which has emphasised the metabolic and energy production issues found in ME/CFS
- Research shows that for many ME/CFS sufferers, GET in particular carries a risk of harm and cause setbacks and adverse health effects



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**We strongly recommend keeping copies of everything you submit as part of your DSP application.**



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**What do I do if I am not successful in my DSP application?**



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## Appeal

- If Centrelink rejects your claim, ask them why.
- Centrelink may tell you that you need to get more treatment or to complete 18 months in a program of support. You may put in a new claim after you have completed these tasks.
- There is no limit to the number of DSP applications you can make.
- If you think that Centrelink's rejection of your claim is wrong, you can ask for the decision to be reviewed within 13 weeks.
- We recommend writing to:

**Centrelink**  
**Reply Paid 7800**  
**Canberra BC ACT 2610**



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## Other payments you may be eligible for

- Rent Assistance to assist with rental payments
- Sickness Allowance is an income support payment if you temporarily can't work or study because of an injury or illness. You must have a job or study to return to
- Newstart Allowance can help you if you can participate in approved activities or job search
- Youth Allowance can help if you are 24 or younger and a student or Australian Apprentice, or 21 or younger and looking for work



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## Other payments you may be eligible for

- Carer Payment and Carer Allowance help you if you provide daily care to someone with an illness, a disability or who is frail aged.
- Carer Supplement is an annual lump sum payment to help with the costs of caring for a person with a disability or medical condition
- Youth Disability Supplement is an extra payment if you're a young person with disability and on certain income support payments
- NDIS National Disability Insurance Scheme



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### If you're rejected for DSP you could also try:

- Applying for Newstart and asking for mutual obligations to be suspended. This enables you to apply for jobs when you feel well enough, but you're not obliged to.
- **You may be granted a 'partial capacity to work' for Newstart/Youth Allowance.**
  - If your work capacity assessment determines that your illness or disability would prevent you from working for 30 hours per week without ongoing support within the next 2 years.



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### Advocacy

If you need assistance in completing forms, understanding information or to appeal a decision, contact the DSP officer at Unemployed Workers Union: <http://unemployedworkersunion.com/dsp-inquiry-form/>

For other advocacy organisations: <https://disabilityadvocacyfinder.dss.gov.au/disability/ndap/>



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### What we do @ Emerge Australia

Emerge Australia has a small part-time team of paid staff and a wide circle of amazing allies and volunteers. Here are just some of the things we do:

- We **educate** people with the condition, the wider community and healthcare practitioners about ME/CFS.
- We provide **information** about ways that people with the condition can **access various social and financial supports**.
- We **lobby and advocate** to improve the situation in Australia (and internationally) for people with ME/CFS.
- We communicate the latest ME/CFS news, medical research and personal stories in our highly respected quarterly journal; Emerge as well as on our website.
- Offer membership



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**Questions?**

  
This project was supported by the Victorian Women's Benevolent Trust

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