



# Disability Support Pension claims

## PROGRAM OF SUPPORT – REJECTION REASONS EXPLAINED

for claims lodged from 1 April 2023

### What does “insufficient medical evidence” mean?

To get Disability Support Pension (DSP), the following must be met:

- your condition is likely to persist for more than 2 years
- your condition is diagnosed, reasonably treated and stabilised
- your condition is assigned an impairment rating of 20 points or more
- you've participated in a Program of Support if required
- you can't work for at least 15 hours a week in the next 2 years.

You may need to have participated in a Program of Support in the 3 years prior to making your DSP claim. Your participation can help us decide if you can get DSP.

### Program of Support rules

We can assist with referring you to a suitable provider. To meet Program of Support requirements, you must actively participate in a program for at least 18 months in the 3 years before you claim DSP.

Where a program is less than 18 months, you must actively participate in and complete the program.

Active participation means that you're attending and participating in all of the required appointments and activities. If you don't actively participate, you won't meet the Program of Support requirement for DSP.

### Can mutual obligation or participation activities count towards a Program of Support?

**Yes, they can.**

If you received a payment like JobSeeker Payment or Parenting Payment you'll generally have had mutual obligation or participation requirements.

You may meet the Program of Support requirement for DSP if you have already participated in employment services such as:

- Disability Employment Services
- Workforce Australia
- ParentsNext (ends 31 October 2024)
- Parent Pathways (starts 1 November 2024).

When you claim DSP, we look at whether you participated in a Program of Support. This includes any providers you connected with and the amount of time you have participated.

We may contact the provider to discuss your participation.

### What if I have an exemption from my requirements?

You may be exempt from your mutual obligation or participation requirements for various reasons. For example, you might give us a medical certificate when you're unable to look for work or participate in the program.

Any periods of exemption where you don't actively participate won't count towards the period of your participation in a program. But if you stay connected with your provider, it may help you to meet the Program of Support requirements, even when you've got an exemption.

You can talk to your provider about how they can support you to complete your Program of Support.

## What if I start a Program of Support but haven't completed it?

We may decide that you've met the Program of Support requirement for DSP before you've completed the whole program. This can be because further participation in the program won't improve your work capacity.

You may need to provide evidence, including any new medical evidence to help us assess your circumstances. We may contact the provider to discuss your participation.

## What if I'm not eligible for an income support payment like JobSeeker Payment?

You can still connect with a provider and undertake a Program of Support even if:

- we've rejected your claim for DSP
- you're not eligible for any other income support payments like JobSeeker Payment.

By connecting with a provider, this may help you show that you've actively participated in a program. This may help if you decide to claim DSP again in the future.

Claiming DSP again if you've participated in a Program of Support

We can reassess your participation in a Program of Support if you've either:

- now completed a Program of Support for the required period
- started a Program of Support but your medical condition or disability stops you from improving your ability to work by staying in a Program of Support.

To do this, you need to reclaim DSP again and provide evidence of your participation.

## Your options if we rejected your DSP claim

### 1 If you don't understand or agree with the decision you can contact us

We'll explain the decision. We may be able to resolve your concerns without a formal review.

You can apply for a formal review of the decision. This review is free.

You have up to 13 weeks from the rejection date to decide if you want a formal review. You can still apply after this time. However, if we change the decision, you may only get paid from the date you ask for the review.

For more information, go to [servicesaustralia.gov.au/reviewsandappeals](https://servicesaustralia.gov.au/reviewsandappeals)

If you don't agree with the outcome of the formal review, you can apply to the Administrative Review Tribunal (ART). The ART is an independent body which can review a range of decisions made by Services Australia. The ART can only review a decision that we have reviewed.

For more information about applying to the ART, go to [art.gov.au](https://art.gov.au)

### 2 Get more information

Call us on **132 717** and we can refer you to a Program of Support provider. You can also talk directly to a provider in your local area.

You can still connect with a Program of Support provider even if:

- we've rejected your claim for DSP
- you're not eligible for any income support payments like JobSeeker Payment.

You don't need to get an income support payment to actively participate.

### 3 Check if you can get another payment

You may be able to get other income support payments, if you can't get DSP. Use our Payment and Services Finder on our website to see what payments and services you may be able to get. Go to [servicesaustralia.gov.au/paymentfinder](https://servicesaustralia.gov.au/paymentfinder)

For more information, go to [servicesaustralia.gov.au/dsp](https://servicesaustralia.gov.au/dsp)

**Disclaimer:** this information is accurate as at September 2024.