



Australian Government

Department of Health, Disability and Ageing

OFFICIAL

Getting It Right: A New Definition for NDIS Providers



Purpose:

The Department of Health, Disability and Ageing (the department) is seeking views from the disability community and NDIS providers about the definition of a National Disability Insurance Scheme (NDIS/Scheme) provider in the *National Disability Insurance Scheme Act 2013* (NDIS Act). We invite people with disability, families, carers, providers, and the wider community to help shape this important reform.

This consultation paper builds on the advice of the NDIS Provider and Worker Registration Taskforce (the Taskforce), *Working together to deliver the NDIS, the Independent Review into the National Disability Insurance Scheme*¹ (NDIS Review) and the findings of other inquiries including the *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*² (Disability Royal Commission).

This consultation is part of broader reforms to improve safety, quality, and accountability across the Scheme. Clearly defining who is considered a provider would ensure that all participants receive supports from individuals and organisations that meet appropriate standards. These changes will help strengthen safeguards, improve transparency, and support a fairer and more sustainable NDIS. Amendments to the legislative definition of an NDIS provider would support clear accountability of those who are defined as a NDIS provider and determine which services and supports will require participants to use providers who are registered under a new regulatory model.

The Taskforce also recommended a category of registration for participants who self-direct their supports. Participants who register to self-direct would continue to use unregistered NDIS providers, as their arrangements would be visible to the NDIS Commission under their own registration. From 29 November 2024 to 7 February 2025 the Department of Social Services conducted a public consultation on self-directed supports, and the Government is carefully considering the submissions to this consultation alongside the Taskforce Advice.

Further information about the Taskforce, including their full advice to Government is available on the department's website here: [NDIS Provider and Worker Registration Taskforce | Department of Health, Disability and Ageing](#).

Intended outcomes

The Australian Government is committed to a more structured, calibrated and transparent provider regulatory system that reflects the level of risk and complexity of services delivered. Amending the definition of “an NDIS provider” would support the Government’s objective to ensure regulation is fit-for-purpose. Through public consultation, the department expects the following insights can be achieved:

¹ [Working together to deliver the NDIS, the Independent Review into the National Disability Insurance Scheme | NDIS Review](#)

² [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#)

- How a registration system where providers of similar services are on a level playing field, including more appropriate, responsive, and less costly regulation for providers of lower and medium risk supports could be best implemented.
- Understanding how registration can support the NDIS Quality and Safeguards Commission (the Commission) and the National Disability Insurance Agency (NDIA) to incentivise high quality services while taking strong action on fraud, abuse, neglect and exploitation of participants.
- Improvements to the integrity, sustainability, and productivity of the Scheme.
- Understanding issues and opportunities relating to changes to the definition.

How to provide feedback:

Consultation is open between 05:00pm AEDT on 19 December 2025 and 11.30 pm AEST on 28 February 2026.

The department is offering different ways to provide your input. You can decide what way bests work for you. You do not need to participate in all available options.

1. **Submissions:** Everyone is invited to make a submission in the format that suits them (including written, video and pictures). You can provide a submission as an individual or organisation. Submissions can be made until 28 February 2026.
 - Provide answers to the consultation questions using the survey link below.
 - Upload a document, image or video using either the consultation survey link below, or emailing NDISRegulation@health.gov.au

Should you require assistance to make a submission, would like to make a submission in an alternative format or have any questions about the consultation, please contact NDISRegulation@health.gov.au.

About this consultation paper:

The department acknowledges the breadth of consultation activity that continues to take place, and the disability community's generosity in providing its views to improve the quality and sustainability of the NDIS.

This consultation paper aligns with and supports the broader care and support economy reform agenda, including:

- The NDIS Commission led regulatory reform program. Further details are available on the NDIS regulatory reform program of work at the NDIS Commission's Regulatory Reform Hub which will be updated in 2026.
- Care and support economy goal 3: Sustainable and productive care and support that delivers quality care and support with quality jobs: Further details are available on the [Department of the Prime Minister and Cabinet website](#).

Note: *The care and support economy includes disability support, aged care, veterans' care and early childhood education and care.*

Submissions will inform consideration of amendments to the definition of “an NDIS provider” in the NDIS Act. The issues we will consider include:

- Scope of supports which should be included in a definition of “an NDIS provider”.
- How an amended definition can support the rights of participants, such as choice and control in accessing reasonable and necessary supports.
- Benefits of an amended definition, including opportunities for the Government to assist with monitoring and shaping NDIS provider markets.
- Concerns or unintended consequences, including any potential disruptions to service delivery and unnecessary regulatory burden.

This consultation paper includes information about:

- The current definition of an NDIS provider.
- The graduated risk proportionate regulatory model proposed by the NDIS Review and the Taskforce.

This consultation paper does **not** include information about:

- The structure and characteristics of the proposed graduated risk proportionate regulatory model, including the development of the model.
- Reforms to parts of the NDIS outside the definition of “an NDIS provider”.
- Reforms taking place in other sectors such as aged care.

Current definition of NDIS provider

The definition of an NDIS provider under Section 9 of the NDIS Act is broad and includes anyone who receives NDIS funding other than as a participant (see Table 1 below). This may include providers who do not know they are a NDIS provider as they deliver mainstream services that may be purchased from NDIS funds.

Table 1: Current definition of NDIS Provider in Section 9 of the NDIS Act.

NDIS provider means:

(a) a person (other than the Agency) who receives:

- (i) funding under the arrangements set out in Chapter 2; or
- (ii) NDIS amounts (other than as a participant); or

(b) a person or entity:

- (i) who provides supports or services to people with disability other than under the National Disability Insurance Scheme; and
- (ii) who is prescribed by the National Disability Insurance Scheme rules for the purposes of this subparagraph. (Chapter 1, Part 4 Section 9 of the *National Disability Insurance Scheme Act 2013*)

The NDIS Review recommended mandatory registration of all NDIS providers to strengthen the regulatory response to long-standing and emerging quality and safeguards issues³.

This means a range of mainstream businesses that provide supports to participants, and who are currently defined as “NDIS providers” would need to register. For example, under the current definition many retailers are considered NDIS providers if an NDIS participant purchases items from them using NDIS plan funding. These retailers are often not aware they are considered “an NDIS provider” because of this purchase, and therefore not aware of their obligations under the NDIS Act.

The Taskforce recommended an amended definition of “an NDIS provider”, and that all NDIS providers included in that definition should be registered. It recommended the definition include a list of supports, to better target mandatory registration requirements. Under the model proposed by the Taskforce, NDIS providers who provide specified services or supports would require registration.

The list of services and supports proposed by the Taskforce is outlined at **Table 2**.

The current registration model requires mandatory registration for some classes of NDIS provider, including those who:

- Use regulated restrictive practices.
- Deliver specialist disability accommodation supports.
- Provide specialist behaviour support (i.e. undertaking behavioural support assessments or developing behaviour support plans).

In addition, NDIS participants who have their plans managed by the NDIA (commonly known as ‘Agency Managed’) are required to use registered providers in the current model.

The government announced on 17 December 2025 that the NDIS Commission will expand NDIS provider registration with mandatory registration of Supported Independent Living (SIL) and digital platform providers from 1 July 2026. The Taskforce observed ‘the understanding of what a future registration model would look like’⁴ was a significant barrier in their consultation, as aspects of the current registration model shapes attitudes about what a future model may look like. Acknowledging this, the Taskforce recommended Government consult on amending the definition of “an NDIS provider” to sharpen its focus on businesses who provide disability supports.

Under the Taskforce’s framework, a future provider registration model would be intended to be proportionate to the risk posed to the participant. Lower risk services would be subject to lower administrative burden than if they were required to register in the current system. For providers of low-risk services who are already registered, this would likely result in a reduction in their administrative burden.

³ NDIS Review, Recommendation 17.

⁴ NDIS Provider and Worker Registration Taskforce Final Report, p 38.

Outline of the graduated risk-proportionate provider registration model proposed by the Taskforce

The department is continuing to consider the Taskforce's advice. We note the Taskforce agreed with the NDIS Review that a mandatory provider regulatory model would be a key lever to strengthening regulation in the NDIS. The definition of an NDIS provider will determine which providers would be required to register under a mandatory registration model.

The department has developed the following outline of the graduated risk-proportionate regulatory model recommended by the Taskforce. The outline aims to guide your submission on potential effects or opportunities for the amendments to the definition of NDIS provider in the NDIS Act.

Note: the model is as an **example only**. Any future registration model is a decision for Government.

Provider registration categories (visually represented in Diagram 1):

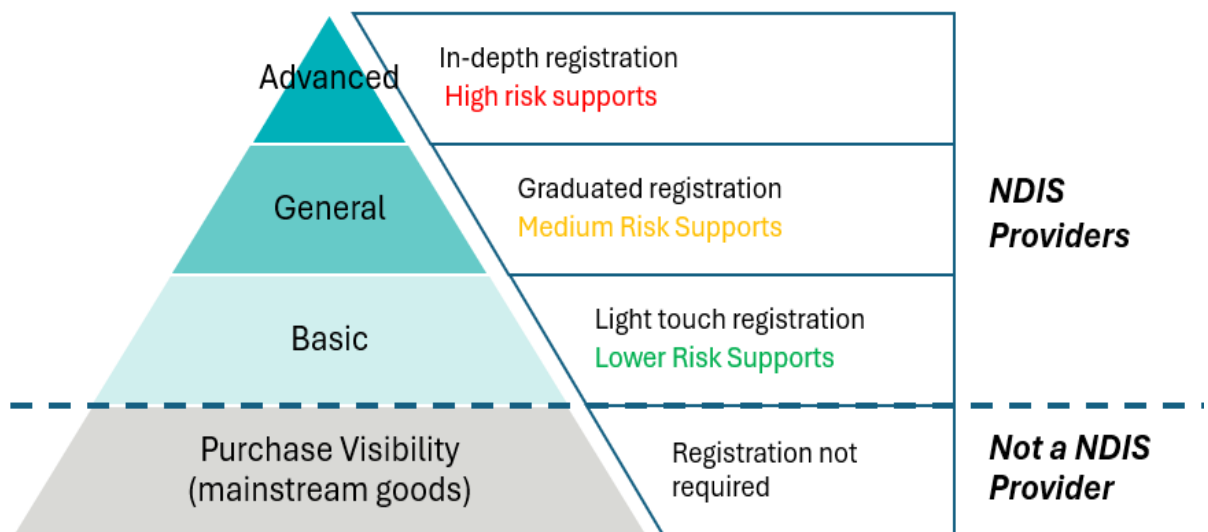
Advanced registration – In-depth registration of providers of high-risk supports, such as daily living support delivered in formal closed settings like group homes.

General registration – Registration of providers for medium-risk supports, for example high intensity supports such as high intensity daily personal activities or activities that require additional skills and training (such as complex bowel care or injections) and supports with significant 1:1 contact with people with disability provided in the community or private settings.

Basic registration – Light-touch registration of providers for low-risk supports. Supports in this category would involve limited 1:1 contact with people with disability.

Purchase Visibility – Services and supports which are provided to NDIS participants by mainstream providers who do not meet the definition. This includes goods purchased from mainstream retailers by a participant. These providers would be visible to the NDIA via enhancements to the payment system.

Diagram 1: risk proportionate regulatory model



A new legislative definition of “NDIS provider” could underpin a new risk-based registration model. The department **has not** put forward a proposed (or draft) definition to ensure the views of the community can be considered in the design and development of a new definition. The department anticipates further consultation would occur as part of any legislative process.

The Taskforce recommended providers of services above the dotted line in Diagram 1 above would require registration in any new model. “Providers” of services below the dotted line would not require registration and would instead be visible to regulators through electronic payment systems. This would ensure NDIS participants who use mainstream retailers for supports continue to be able to do so under the new model and not impose unnecessary or unenforceable regulatory arrangements.

The Taskforce recommended a new definition of provider should include a list of supports, setting out which support types would require registration in any new regulatory model, with the following suggested list as a starting point. These supports would be above the dotted line in Diagram 1, and would require registration in the new model⁵:

Table 2: Draft list of support types proposed by the Taskforce:

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| <ul style="list-style-type: none"> • A support or service offered by a person or entity to people with disability, including a participant or prospective participant. • A support that is described as one of the following: <ul style="list-style-type: none"> ○ Provision of housing or home and living support ○ Supports a person with disability to live independently, including with shared supports with other people with disability ○ Provision of day programs in centre-based environments ○ Employment support provided to people with disability to find work or obtain skills and readiness ○ Supported Employment⁶ ○ Provision of accommodation on a short-term basis or for respite services ○ Provision of in-home care and support services to a person to maintain their hygiene, mobility, social and economic participation ○ Support to access the community or engage in social participation ○ Intermediary services to support a person to manage their NDIS Plan, support services or financial management ○ Manufacture or sale of equipment or assistive technology, including modifications ○ Provision of disability-specific transportation services ○ Allied health and therapeutic services ○ Early childhood and early intervention services ○ Positive behaviour support practitioner support and implementation ○ Interpreter services ○ Health services, such as paediatric support or optometry ○ Capacity building support ○ Peer support programs and initiatives ○ Orientation and mobility services |
|--|

⁵ Taskforce Advice

⁶ Updated to Supported Employment from the term Australian Disability Enterprises used in the Taskforce Advice to ensure the current terminology is used.

Have your say:

The department is interested in your views on amending the definition of an NDIS provider. We are seeking your responses to the questions below, to inform consideration of amendments the NDIS Act.

Consultation with the disability community (including NDIS providers) is critical to the Government's decision making on implementation of a new regulatory model. The information you provide during this consultation period is an important part of ensuring the Government can make decisions about regulation based on the way you use your supports.

Note: When considering responses to the questions below, it is important to keep in mind that a future provider registration model would be proportionate to the risk posed to the participant. Lower risk services would be subject to a lower administrative burden than if they were required to register under the current system.

Questions

1. Are there any supports or services missing from the list at Table 2 that you think should be included in an amended definition of "an NDIS provider"?
 2. Are there any supports or services that you would exclude from the definition in Table 2?
 3. What issues should Government consider when amending the definition of NDIS provider to maintain flexibility and responsiveness to NDIS participants needs?
 4. Are there factors, other than the type of support delivered, which should be considered in a new definition of "an NDIS provider"?
 5. Are there supports you currently access which may be disrupted or result in secondary impacts if they are included or excluded in a new definition of "an NDIS provider"?
 6. Are there opportunities to ensure a new definition of "an NDIS provider" supports productivity and sustainability across the care and support economy?
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All information in this publication is correct as at December 2025