EXPLANATORY STATEMENT

ADULT DISABILITY ASSESSMENT AMENDMENT
DETERMINATION 1999 (No. 1)

The Adult Disability Assessment Determination 1999 sets out the Adult Disability Assessment Tool (ADAT), which is provided for by section 38C of the Social Security Act 1991. Section 38C was inserted by Schedule 1 to the Assistance for Carers Legislation Amendment Act 1999. The ADAT sets out a new method for assessing the disability of adults for the purposes of carer payment and the new carer allowance from 1 July 1999.

Part of the ADAT procedure includes the completion of questionnaires in relation to the adult’s disability; one of these questionnaires must be completed by the adult’s “treatment health professional”. Section 1.5 of the Adult Disability Assessment Determination 1999 allows the Secretary to approve a person or a class of persons as “treatment health professionals” for the purposes of the Determination. Subsection 2.2(3) of the Determination allows the Secretary to require a replacement questionnaire to be completed by another treatment health professional if he or she is not satisfied that the original questionnaire is an accurate reflection of the adult’s disability.

This instrument amends the Adult Disability Assessment Determination 1999 to make it clear that the decisions of the Secretary under section 1.5 and subsection 2.2(3) of the Determination are subject to the review provisions of Chapter 6 of the Social Security Act 1991.