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Guides to Social Policy Law
Guide to Social Security Law
 Version 1.220 - Released 21 March 2016

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8.3.3.50 Backdated Start Days - CA

[CA \(adult\) date of qualification](#)

The start day for CA (adult) may be backdated up to 12 weeks to the day of qualification for a person caring for an adult with a disability, provided the disability is due to an acute onset ([1.1.A.52](#)). The THP ([1.1.T.170](#)) will indicate on the claim form whether there has been an acute onset and the date it occurred. If the claim is more than 12 weeks AFTER the day of qualification, the start day is the first day of the 12 week period before the day the claim was made.

CA (child) date of qualification

The start day for CA (child) may be backdated up to 12 weeks to the day of qualification for a person caring for a child with disability. The THP will indicate on the claim form if the disability began more than 12 weeks ago or will state the date the disability occurred if it was within the 12 week period. If the claim is more than 12 weeks AFTER the day of qualification, the start day is the first day of the 12 week period before the day the claim was made.

Exception: The start day for CA (child) CANNOT be backdated for a person qualified for CA auto i.e. their CA qualification is based on them being qualified for [CA \(child\)](#).

Act reference: [SS\(Admin\)Act](#) Schedule 2 clause 16 CA for disabled child or children, Schedule 2 clause 17 CA for disabled adult
Policy reference: [SS Guide 3.6.7.30](#) Qualification for CA, [3.6.7.35](#) Qualification for CA (child) - Automatic Qualification for CA (child) through Qualification for CP (child)

Care recipients must have been living at home

Apart from circumstances where a claim is lodged when the care receiver is in hospital the care receiver must be living at home for the CA start day to be backdated.

Act reference: [SSAct](#) section 953 Qualification for CA-caring for either 1 or 2 disabled children, section 954 Qualification for CA-caring for a disabled adult in a private home of both the adult and the carer.

Care recipient died before claim was lodged

If the care receiver dies and the carer lodges a claim for CA the following applies. Assuming the carer would otherwise qualify under the SSAct for CA, for the care receiver then:

- if the claim was lodged within 12 weeks after the day on which the person became qualified, the start day is the day on which the person became qualified, and continues for the period during which the person remained qualified, i.e. until the death of the care receiver ([SS\(Admin\)Act](#) Schedule 2 clauses 16(1) and 17(1)), or
- if the claim was lodged more than 12 weeks after the day on which the person became qualified, the start day is the first day of the period of 12 weeks ending immediately before the day on which the claim was made, and continues whilst the person remained qualified, i.e. until the death of the care receiver ([SS\(Admin\)Act](#) Schedule 2 clauses 16(2) and 17(2)).

Example 1: Dave lodges a CA claim on 1 April for his partner Pete who died on 28 March after complications from a motor vehicle accident. The THP confirms that Pete required daily care and attention for 7 months before his death. Dave meets all qualifications under SSAct section 957 therefore his start date would be 7 January (12 weeks before 1 April). Dave is entitled to CA for the period 7 January to 28 March as Pete's condition was a result of an acute onset event.

Example 2: Maree lodges a CA claim on 1 April for her 13 year old daughter Lucy who died on 20 March after a short illness. The THP confirms that Lucy required daily care and attention for the period 1 March to 20 March. Maree meets all qualifications under SSAct section 953 therefore her start date would be 1 March. Maree is entitled to CA for the period 1 March to 20 March.

CA (child) recipients qualifying with combined scores of 2 children ([1.1.C.200](#))

The maximum period for backdating if a recipient qualifies with the combined scores of 2 children is 12 weeks. The THP will indicate on each child's claim form if their disability began more than 12 weeks ago or will state the date the disability occurred if it was within the 12 week period.

Example: Claims for 2 children are lodged separately, on 1 August 2012 and 1 October 2012. The children developed disabilities on 1 March 2012 and 1 July 2012 respectively. In this case, when each child was assessed individually neither achieved a qualifying rating of intense under the DCLA although both had a THP score greater than zero. When both children were assessed under the combined CA (child) rules a qualifying rating of intense was achieved. Date of commencement for CA (child) would be 1 October 2012, when the second claim was lodged. Due to the 12 weeks backdating provisions, arrears were paid from 9 July 2012.

Backdating CA (child) [HCC](#) only

CA (child) HCC only follows the start day rules as for the HCC issued with payment of CA (child). The HCC may be backdated up to a maximum period of up to 12 weeks.

Act reference: [SSAct](#) section 10612K, Qualification: general rules

Amendments to DCLA or [ADAT](#) Determinations may affect the date of qualification for CA.

When CA is backdated consideration must be given to amendments made to the DCLA (Child) or Adult Disability Assessment Determinations as the changes made may have effect on the date of qualification.

Example: On 3 August 2011, the Disability Care Load Assessment (Child) Determination 2010 Schedule 1 was amended, with an effective date of 1 July 2011, to add Diabetes Mellitus Type 1 (where the young person is aged up to 16). Amendments made to this Determination enabled cancelled CA (child) cases, where the child aged over 10 had Diabetes Mellitus Type 1, to be retrospectively reassessed to qualify for CA from 1 July 2011.

Last reviewed: 1 July 2015

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