

Accessing super early: Serious illness or surgery

This article answers two questions from readers about whether you can access your super benefits early to pay for heart surgery (Question 1), or to pay for weight loss surgery (Question 2).

Accessing super early for heart surgery

Q1: I am 52 years old. I'm having heart surgery and won't be able to work for 3 months, and I have no sick leave because I have just started a new job. My surgery will cause me financial hardship but I cannot access my super benefits under the severe financial hardship^[1] exemption because I am not on Centrelink^[2] benefits. Can you give me any other ideas to access my super benefits? I did read somewhere about temporary incapacity.

Trish's response: I'm very sorry to read about your predicament. As you mention, it is worthwhile to check whether you have an income protection (also called 'salary continuance') policy with your super fund, or with any other super fund that you may belong to, or outside the super system, that pays you an income in the circumstances that you are currently facing.

Another possibility is to apply for early release of super benefits on compassionate grounds^[3]. Although the compassionate grounds are very specific, one of those grounds is to assist with medical treatment. You must apply to the Department of Human Services (DHS)^[4]. Quoting directly from the DHS website:

Compassionate grounds medical treatment and/or transport

You may be eligible for early release of superannuation^[5] on specified compassionate grounds to pay for the following expenses for yourself or your dependant:

- medical treatment*
- transport to access medical treatment*

- *dental treatment*
- *transport to access dental treatment.*

You or your dependant must need the treatment to:

- *treat a life-threatening illness or injury*
- *alleviate acute or chronic physical pain*
- *alleviate an acute or chronic mental disturbance.*

The treatment must not be readily available through the public health system and the cost of the treatment not be completely covered by your (or your dependant's) private health insurance and/or workers' compensation.

Eligibility

To check whether you are eligible, ask yourself the following questions about possible early access to your superannuation on medical grounds.

- *Do you or your dependant suffer from a life threatening illness or injury, acute or chronic pain, or an acute or chronic mental disturbance?*
- *Do you or your dependant require medical treatment for this condition that is not readily available through the public-health system or require transport to access treatment for this condition?*

If you have answered 'no' in response to either of those questions, it is unlikely that you are eligible for the early release of superannuation on specific compassionate grounds.

Supporting documents

To avoid delays in processing your application, you must get the required documentation before submitting your application.

*Your medical/dental practitioner and medical/dental specialist will each need to complete a **Report for medical practitioners and/or specialists**^[6][1].*

Alternatively, your medical practitioner and/or medical specialist can provide a letter, on their letterhead, containing all of the information requested within the report. The letter(s) will also need to

- *be signed and dated no earlier than six months before the date of your application*

- *clearly show their qualifications in English or translated into English by a certified translator.*

*You will need to complete and submit a Medical, dental or transport^[7][2] form and provide **two** copies of the Report for medical practitioners and/or specialists^[8][1] completed by your registered medical/dental practitioner and your registered medical/dental specialist.*

For medical or dental treatment

Step 1 *You will need to get a report from a registered medical/dental practitioner and a medical/dental specialist qualified in the area of medicine relevant to you or your dependant's medical treatment.*

Each Report for medical practitioners and/or specialists^[9][1] letter needs to:

- *state that your or your dependant's condition can be categorised as one of the following:*
 - *a life threatening illness or injury*
 - *acute or chronic pain*
 - *an acute or chronic mental disturbance*
- *state that the treatment required is not readily available to you or your dependant through the public health system*

Step 2 *You will need to get quotes and/or provide outstanding invoices from relevant service providers that show the amount needed to pay for every expense you are claiming.*

The quotes and invoices must:

- *indicate any amounts claimable through private health insurance*
- *be dated no earlier than six months from the date of your application*
- *not be more than 30 days old (for unpaid invoices).*

Note: *Without the required documents, we cannot process your application.*

You can find further information on the requirements, including documentation, by visiting the DHS website, in particular this link^[10].

Note: Centrelink benefits may be payable in your circumstances. Chat to Centrelink

about the Sickness and Disability benefits available (www.centrelink.gov.au^[11] or phone 13 27 17)

Warning: Some super funds don't permit early access for any reason, even for compassionate grounds, so check that your super fund's rules allow you to withdraw early on these grounds before applying to APRA^[12].

Accessing super early for weight loss surgery

Q2: *I'm wondering if I can access my super for health reasons. I need weight loss surgery to basically stay alive, and it is very costly, but without it I probably won't be able to work again. I am 50 years old.*

Trish's response: I'm sorry to hear about your circumstances. My answer to the question above (relating to heart surgery) is also relevant to your question.

I'm not aware of the policy on accessing super^[13] for weight loss surgery, but morbid obesity may possibly be considered a life-threatening illness. An individual can access super benefits for certain types of dental treatment so early access to treat obesity makes sense to me. If the Department of Human Services considers this to be the case, then you can access super benefits to pay for medical treatment.

You can find more information on early release based on the compassionate ground of 'medical treatment' by clicking on this link^[14].

When you do click on the link, scroll down the page and you can then access another document by clicking on the link titled 'Report for medical practitioners and/or specialists'.

Note: You can also check whether you have income protection insurance^[15] inside your super fund (check with all of your super funds if you have more than one fund) or outside the super system and determine whether the policy pays an income in such circumstances.

1. <http://www.superguide.com.au/superannuation-topics/severe-financial-hardship>
2. <http://www.superguide.com.au/superannuation-topics/centrelink>
3. <http://www.superguide.com.au/superannuation-topics/compassionate-grounds>
4. <http://www.superguide.com.au/superannuation-topics/department-of-human-services-dhs>

5. <http://www.superguide.com.au/accessing-superannuation/accessing-super-early/12-legal-reasons-to-cash-your-super>
6. <http://www.humanservices.gov.au/customer/forms/8495>
7. <http://www.humanservices.gov.au/customer/forms/8104>
8. <http://www.humanservices.gov.au/customer/forms/8495>
9. <http://www.humanservices.gov.au/customer/forms/8495>
10. <http://www.humanservices.gov.au/customer/enablers/centrelink/early-release-of-superannuation/compassionate-grounds-medical-treatment>
11. <http://www.centrelink.gov.au/>
12. <http://www.superguide.com.au/superannuation-topics/apra>
13. <http://www.superguide.com.au/accessing-superannuation>
14. <http://www.humanservices.gov.au/customer/enablers/centrelink/early-release-of-superannuation/compassionate-grounds-medical-treatment>
15. <http://www.superguide.com.au/superannuation-topics/income-protection-insurance>