



Australian Government
Australian Taxation Office

ATO and Ahpra send warning about extracting super early

The ATO is sending a reminder that super is only available in limited circumstances.

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This is a joint media release between the ATO and Ahpra

The Australian Taxation Office (ATO) and the Australian Health Practitioner Regulation Agency (Ahpra) have joined forces to stamp out business models and inappropriate practices that seek to use superannuation to pay for overly expensive or unnecessary medical treatments.

New data released by the ATO today, shows significant growth in applications for compassionate release of super, particularly for dental services, where the number of requests has more than doubled in two years. To be approved, the services need to be certified by two practitioners as necessary to alleviate acute or chronic pain, to treat a life-threatening illness or injury or alleviate acute or chronic mental illness.

ATO Deputy Commissioner Emma Rosenzweig said the ATO is concerned that some health practitioners and registered agents are inappropriately supporting individuals to access their superannuation on compassionate grounds, particularly for cosmetic procedures that aren't aligned to compassionate release requirements.

'While superannuation can be accessed early under compassionate grounds, this is strictly available in very limited circumstances including for critical medical and dental procedures.

I want to make it clear, compassionate release of super should only be considered as a last resort, where all other options of paying for the eligible expenses have been exhausted.'

Ahpra and the Dental and Medical Boards of Australia are today releasing new guidance (<https://www.ahpra.gov.au/Resources/Compassionate-release-of-super.aspx>) for doctors and dentists in response to ongoing concerns of inappropriate conduct.

Ahpra Chief Executive Officer Justin Untersteiner said the guidance emphasised the need for a thorough assessment by an appropriately skilled practitioner, that prioritises the person's health.

'I'm stunned to hear that some businesses and practitioners are taking advantage of this process to push overly expensive or unnecessary treatments,' said Mr Untersteiner.

'There is an inherent trust that the community places in their practitioners and taking advantage of people in need is never acceptable. Any advice on what procedure is necessary should be based on the patients' best interest and not influenced by financial gain or incentives.'

The guidance follows the release of a position statement in May (<https://www.ahpra.gov.au/News/2025-05-30-Joint-statement.aspx>) and reiterates that any treatments recommended by practitioners should only be certified if they are necessary.

It also includes a warning for practitioners that providing financial advice without a licence could also result in severe penalties from Australian Securities & Investment Commission (ASIC).

In 2024-25, a significant portion of the \$1.4 billion in superannuation that was released early on compassionate grounds was for medical treatment, the category used by the ATO that includes dental, IVF and weight loss treatment. There were 93,500 applications in this category, the majority in relation to dental services and 30 per cent of those were rejected by the ATO for not meeting their requirements for compassionate release.

'We are seeing practitioners making inaccurate statements in medical reports. The ATO relies on medical and dental professionals to act in the best interests of their patients to prepare accurate reports regarding their diagnoses and the required treatment strategy,' said Ms Rosenzweig.

Complaints to Ahpra about practitioners in this area generally relate to treatment already provided and funded through early access to super. Regulatory action has ranged from cautions and conditions to referral to a tribunal.

Other penalties apply to individuals, health practitioners or registered agents who help to prepare or submit an application for health treatments that are not necessary, as this

would be considered making a false or misleading statement to the Commissioner.

Ahpra and the ATO continue to work together to monitor recent growth in applications and identify any concerns about inappropriate conduct.

The ATO has developed a [video \(/individuals-and-families/super-for-individuals-and-families/super/withdrawing-and-using-your-super/early-access-to-super/access-on-compassionate-grounds/compassionate-grounds-health-practitioner-information\)](/individuals-and-families/super-for-individuals-and-families/super/withdrawing-and-using-your-super/early-access-to-super/access-on-compassionate-grounds/compassionate-grounds-health-practitioner-information) for practitioners that details a number of concerning behaviours the ATO has observed and to educate them on the ATO's expectations when supporting individuals to access their super on compassionate grounds.

The ATO encourages anyone who is aware of inappropriate practices such as social media advertisements leading to inappropriate early access of superannuation, or health practitioners providing inaccurate medical reports, to [make a tip off \(/about-ato/tax-avoidance/the-fight-against-tax-crime/what-you-can-do/making-a-tip-off\)](/about-ato/tax-avoidance/the-fight-against-tax-crime/what-you-can-do/making-a-tip-off) to the ATO.

If you have a concern about an individual registered health practitioner's professional performance or conduct, you can [notify Ahpra \(https://www.ahpra.gov.au/Notifications/Concerned-about-a-health-practitioner.aspx\)](https://www.ahpra.gov.au/Notifications/Concerned-about-a-health-practitioner.aspx).

For the full breakdown of the latest ATO data on compassionate release of super, visit [Compassionate release of super \(/about-ato/research-and-statistics/in-detail/super-statistics/early-release/compassionate-release-of-super\)](/about-ato/research-and-statistics/in-detail/super-statistics/early-release/compassionate-release-of-super).

Notes to journalists

A high-resolution headshot of [Deputy Commissioner Emma Rosenzweig \(JPG, 1.08MB\) \(https://www.ato.gov.au/api/public/content/205cb425a48244a3963296413f08d913?v=438978ce\)](https://www.ato.gov.au/api/public/content/205cb425a48244a3963296413f08d913?v=438978ce) is available for download from our media centre.

- [Compassionate grounds – Information for Health Practitioners \(/individuals-and-families/super-for-individuals-and-families/super/withdrawing-and-using-your-super/early-access-to-super/access-on-compassionate-grounds/compassionate-grounds-health-practitioner-information\)](/individuals-and-families/super-for-individuals-and-families/super/withdrawing-and-using-your-super/early-access-to-super/access-on-compassionate-grounds/compassionate-grounds-health-practitioner-information)
- [Compassionate grounds – Information for Registered Agents \(/individuals-and-families/super-for-individuals-and-families/super/withdrawing-and-using-your-super/early-access-to-super/access-on-compassionate-grounds/compassionate-grounds-registered-agent-information\)](/individuals-and-families/super-for-individuals-and-families/super/withdrawing-and-using-your-super/early-access-to-super/access-on-compassionate-grounds/compassionate-grounds-registered-agent-information)

- [Separating fact from fiction on accessing your super early \(/media-centre/separating-fact-from-fiction-on-accessing-your-super-early\)](#)
- [Joint Statement by Ahpra and the Dental and Medical Boards of Australia \(https://www.ahpra.gov.au/News/2025-05-30-Joint-statement.aspx\)](#)
- [ATO stock footage and images \(/media-centre/ato-file-footage-and-stock-vision\)](#) are available for use in news bulletins from our media centre.

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