

Australian MedicoLegal College
ABN 37 365 943 169



Dr Drew Dixon, President Australian MedicoLegal College
Manager: Mandy Chalmers Phone: 0419 886 557 – PO Box 246, Bondi Rd, Bondi, NSW 2026
Email: ausmlcollege@gmail.com

19 October 2022

To the State Insurance Regulatory Authority

Re: State Insurance and Care Governance and Draft Regulation

As per the Motor Accidents and Workers Compensation Legislation Amendment Bill 2022, Section 26B(4) providing for proposed amending regulations and section 26E Guidelines to be issued on a draft in October/November 2022.

This submission is in the matter of fees for IME reports, that is, provide fee guidance for assessment of those injured persons making claims under these jurisdictions.

Australian MedicoLegal College is a not for profit educational college whose Fellows are skilled professional senior medicolegal specialists who provide high quality IME reports regarding WPI, IMC, causation, and reasonable and necessary treatment of injured workers and those injured as a result of motor vehicle accidents.

These reports require pre-reading of voluminous documentation, often in excess of 1000 pages, that has to be sifted through, collated, re-paginated, seriously considered, and efficiently summarised to provide assessment of coherent and relevant matters pertaining to the injuries. This includes overcoming personal attitudes and behaviors of a variable cohort of claimants. Some claimants may not have sufficient English as a second language and extra time and effort has to be afforded to such claimants and the interpreters to keep to the script and achieve a just outcome.

Late documentation often means further copious and contradictory documentation and requires a highly skillful expert to adduce its probative value with respect to the claims and its relevance, so not to be skewed by cumulative bias in factual and forensic reporting.

To this end, the aim of the Fellows of AMLC is to provide detailed Statements of Reasons, to promote rational dispute resolution of claims by providing unbiased assessments based on factual reports, claimants' statements, relevant past history, physical examination and interpreting diagnostic imaging. All are senior specialists with a lifetime of professional ongoing training, years of clinical experience and up to date clinical knowledge.

Based on their high level of expertise, the Fellows of AMLC are unanimous that current fees for IME work are unrealistically low for the time and expertise expended. This submission to SIRA is intended to bring

fees in line with current medicolegal practice costs, time spent in preparation, history taking, examination and interpreting investigations and attending to matters of past injuries or pre-existing conditions and future reasonable and necessary treatment.

Our mission is to expedite dispute resolution of claims by providing high level forensic medicolegal reports so that parties can equitably settle Plaintiffs' claims with integrity, honesty and fairness.

The College suggests the following fees:

Complex report - \$3500 plus GST

Moderately complex report - \$2500 plus GST

Standard report - \$2000 plus GST

Update examination and report- same fee as for an initial IME. These require almost the same time and often longer than the initial examination and report. All the earlier and the new documents have to be assessed together with confirming the original history and the recent history plus the same examination. Extra payment for extensive late documentation of say an extra two hours - \$800 plus GST

Use of an Interpreter - \$400 plus GST

Supplementary report - \$1000 plus GST

Non-attendance and cancellation within 24 hours - \$1000 plus GST

Cancellation within 10 working days - \$500 plus GST

Further reading of "extra late" documents for expedited review, for example, urgent matters needed by the Court, facilitating express IME opinion on particularly urgent matters such as sub-acute surgical intervention, referral to specialist, physicians and psychologists for counselling - \$800 plus GST

This submission is made to maintain the high level of professional Senior specialist's expertise to do IME work. The fees should reflect the time taken analyzing complex medicolegal issues and the writing of the report(s). This includes the careful reading of all the documentation in order to facilitate progression of the claim by providing a clear, rational and truly independent IME report. This is in keeping with the high level of professionalism to which the College aspires.

DR DREW DIXON
PRESIDENT, AMLC