

From: [REDACTED]
To: [Non_Treat_Practitioners](#)
Cc: [REDACTED]
Subject: Re: Reminder SIRA - frameworks for non-treating health practitioners [CONFIDENTIAL]
Date: Thursday, 28 March 2019 8:56:32 AM
Attachments: [ATT00001.gif](#)
[ATT00002.jpg](#)

Good morning,

Thank you for the opportunity to provide feedback on the proposed frameworks for non-treating health practitioners, please see Allianz's response detailed below:

1. To which medical matters should the authorisation requirements in s 7.52 of the Act relate? For example, should it be for all medical matters referred to in the Regulation, be limited to a specific medical matter (e.g. permanent impairment), or a combination of matters? Why?

We note section 7.5 of the Act outlines restrictions on health practitioners who may provide evidence in court and other dispute resolution proceedings, highlighting evidence is only admissible where the practitioner is a treating health practitioner of the injured person, or authorised by the Motor Accident Guidelines to give evidence.

We seek to clarify the following please:

- Is this inclusive of prior general practitioners treating the injured person, and
- Other allied health practitioners

We note that the impact on obtaining a clinical history and complete picture of the nature of injury forms an important element to liability assessment - therefore a considered approach to limitation of restricting practitioners may benefit from stipulating past and current practitioners, where relevant. At the outset, restriction of allied health practitioners permitted to provide evidence on specific medical matters may limit the ability to achieve consistency, therefore variance of application of s 7 52 on select medical matters is not recommended. Further, it is anticipated that the introduction of an Internal Review process in MAIA may facilitate the opportunity to resolve treatment and care disputes prior to court proceedings - particularly where the services of assessors on the AHP (including allied health providers) may be engaged.

2. Should there be specific criteria in respect of the giving of evidence in different medical matters?

The clarification requested in the response above is also relevant to this question.

Further to the qualification and recency criteria of the practitioner, additional criteria may present challenges to implement where practitioners are qualified to assess specific medical matters and not others. This may also create challenges from a logistical perspective for the claimant, when scheduling appointments as assessing several medical matters may result in consulting with several doctors.

3. Are there any particular criteria for appointments to ensure high quality medico-legal evidence?

Allianz agree with the appointment terms outlined, with consideration that practitioners are suitably qualified to comment provided their speciality and expertise with relevance to the particulars of injury/bodily location/treatment.

4. Should something similar to the Expert Witness Code of Conduct be incorporated in the Motor Accident Guidelines in respect of any expert witness engaged to provide evidence in the Dispute Resolution Service?

Yes, as outlined as a requirement for Authorised Health Practitioners on the [S RA website](#) it would be of benefit to incorporate it into the Motor Accident Guidelines.

5. Are any additional criteria appropriate in respect of the Expert Witness Code of Conduct for inclusion in the Motor Accident Guidelines?

No, the current code encompasses relevant criteria.

Additional questions:

- Will providers on the AHP list be subject to further periodic reviews at set time frames (e.g.: annually) to ensure they continue to meet the requirements or will this only be reviewed every 3 years as per the appointment period?
- Please comment on the process of advising insurers about changes to providers' appointments (reprimands, revoked and new appointments etc.)
- In the event of reprimand or revoked providers appointment on the AHP (detailed above), please comment on impact, if any to admissible medical evidence later relied on as well as requests for internal reviews and DRS?
- Can a criteria please be added to the AHP list for providers that have a current Working with Children check number to avoid insurers referring to unsuitable providers?
- Please comment on the roles of physiotherapists and psychologists on the AHP, is this in an independent consultant capacity?
- Similarly, please comment on the role of an Occupational Physician and whether this would be used in an IMC capacity? Specifically, will IPC and IMC services be explored in CTP (noting the injury management consultant framework provided below).

We look forward to receiving further update on the progression of the proposed frameworks in due course.

Kind Regards,

[REDACTED]
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Operations
Allianz Australia Insurance Ltd | 2 Market Street, Sydney NSW 2000

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From: Non Treat Practitioners <nontreatingpractitioners@sira.nsw.gov.au>

Date: 27/03/2019 12:05 PM

Subject: Reminder SIRA - frameworks for non-treating health practitioners

Dear Ms Lichaa,

Consultation closing soon for the SIRA frameworks for non-treating health practitioners

As you will be aware, the State Insurance Regulatory Authority (SIRA) is seeking feedback on its proposed frameworks for non-treating health practitioners

There are three documents available on our website in relation to this consultation:

- [Proposed authorised health practitioner appointment and regulatory framework](#)
- [Proposed injury management consultant approval and regulatory framework](#)
- [Injury management consultant approval framework – summary of changes](#)

SIRA has already received valuable feedback from a number of groups and individuals, which we will be publishing on our website over the coming weeks. If you also wish to provide feedback on one or more of the consultation documents, you may do so before the consultation closes on **Friday 29 March 2019**

Submissions and any questions about the frameworks can be sent via email to nontreatingpractitioners@sira.nsw.gov.au or posted to Locked Bag 2906, Lisarow, NSW 2252

TIP: If your submission is more than two pages please provide a summary of your key points to accompany your submission

Further details are available on the SIRA consultation page at <https://www.sira.nsw.gov.au/consultations>

Yours sincerely

<p>Manager Treatment and Recovery Claimant Outcomes Workers and Home Building Compensation Regulation State Insurance Regulatory Authority e nontreatingpractitioners@sira.nsw.gov.au www.sira.nsw.gov.au 92-100 Donnison Street, Gosford, NSW, 2250</p>	<p>Manager Authorised Health Practitioner Service Motor Accidents Insurance Regulation State Insurance Regulatory Authority e nontreatingpractitioners@sira.nsw.gov.au www.sira.nsw.gov.au McKell Building, 2-24 Rawson Place, Haymarket NSW 2000</p>
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