

From: [REDACTED]
To: [Non_Treat_Practitioners](#)
Subject: RE: SIRA frameworks for non-treating health practitioners
Date: Saturday, 23 March 2019 2:33:43 PM
Attachments: [image002.jpg](#)

Dear [REDACTED]

I have reviewed the information provided and overall the proposed changes are satisfactory and appropriate. The only significant suggestion is that if a discussion with the worker is to take place, this should be as part of a Stage 3 or face to face assessment. This allows appropriate rapport to be built so that workers will be open to any suggestions made by the IMC. It is more difficult to do this via a phone call particularly with workers who have either a poor command of English or do not have an extensive knowledge of the workers' compensation system.

Contact with RTW coordinators, provider and the treating doctor can be done over the phone because these parties have on average a high level of experience and skill in dealing with the NSW workers' compensation scheme.

For this reason, a Stage 2 file review should include contact with the treating doctor as a minimum with contact with the employer, rehab provider and other treating practitioners as required.

I would also suggest that an updated IMC brochure be prepared and available for easy download. I have found this document to be particularly helpful in explaining the role of the IMC and having it with SIRA branding will assist in ensuring that the worker is aware that the IMC process has SIRA approval.

I welcome the opportunity to discuss treatment with the NTD. This is often addressed as barriers to return to work.

I would also agree that the IMC has no role in determining liability and causation and I would agree that this must be clearly stated in the guidelines. The only other suggestion is to ensure that all treating practitioners in particular mental health practitioners e.g. psychologists and psychiatrists are advised regarding the role of the IMC and in particular the fact that when a workers' compensation claim has been made, that confidentiality issues do not apply provided only aspects of the claim are discussed. I have quite commonly found that in particular psychologists and psychiatrists cite confidentiality as a barrier to any discussion and this necessitates referral back to the insurer so that the particular practitioner can be advised regarding this. I would suggest that all mental health practitioners that are registered with SIRA be sent documentation advising them that they may receive telephone contact from either independent psychological consultants or injury management consultants and that they are required to verbally discuss the matter with these practitioners.

Yours faithfully,

Dr Con Kafataris

MBBS, ABIME

Injury Management Consultant

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

Sent: Friday, 1 March 2019 10:00 AM

To: [REDACTED]

Subject: SIRA frameworks for non-treating health practitioners

Dear Dr Kafataris

The State Insurance Regulatory Authority (SIRA) is seeking feedback on proposed frameworks for non-treating health practitioners in the NSW CTP scheme and workers compensation system.

About the consultation

SIRA is consulting on proposed frameworks for the:

- [appointment of authorised health practitioners \(AHPs\) in the NSW CTP scheme](#)
- [approval of injury management consultants \(IMCs\) in the NSW workers compensation system.](#)

As a medical practitioner who has previously been approved as an IMC, you will already be familiar with the role, in that you primarily assist the various stakeholders involved in a worker's claim to progress a worker's recovery at/return to work with the goal of optimising the worker's health and work outcomes. You may be less familiar with the role of AHPs.

AHPs provide medicolegal evidence in relation to motor accident injuries in court and dispute resolution proceedings. AHPs were introduced to the CTP scheme to encourage joint medicolegal examinations, with the aim to minimise disputation and reduce claim resolution times.

Why this is important

SIRA is proposing to align the frameworks where possible and set clear standards, expectations and processes to emphasise a uniform approach to non-treating health practitioners providing services to persons injured in a motor accident or at work in NSW.

Having a uniform approach simplifies the process for health practitioners seeking to work within the CTP scheme and workers compensation system. It also provides confidence to all participants by reassuring them that SIRA has set conditions of approval, ongoing expectations of professional conduct, and appropriate mechanisms to address complaints.

What this means for you

These proposed frameworks will be informed by the feedback that we receive from participants in the CTP scheme and workers compensation system, including the feedback we receive from you.

Once the IMC Framework is finalised you will be notified of any changes.

You will be provided with a minimum period of six months from the finalisation of the framework before you are requested to reapply to be approved as an IMC, to assist you to adjust to any changes that may affect you.

How you can contribute

As a medical practitioner currently approved as an IMC you will have a unique view on these frameworks, and your feedback is invaluable. You may choose to provide feedback on one or more of the consultation documents.

SIRA has prepared a [summary of changes](#) to the Injury Management Consultant Framework to provide transparency of any proposed changes. SIRA has also posed questions specific to the appointment of authorised health practitioners for stakeholder consideration.

Submissions or 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.

If you would like to discuss the proposed frameworks with us, please email nontreatingpractitioners@sira.nsw.gov.au as soon as possible.

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

Submissions close on Friday 29 March 2019.

We look forward to hearing from you.



reatment and Recovery

Claimant Outcomes | Workers and Home Building Compensation Regulation

State Insurance Regulatory Authority

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[REDACTED]

From: [REDACTED]
Sent: Friday, 29 March 2019 4:41 PM
To: Non Treat Practitioners
Subject: CTP - Dr Kafataris

Hi [REDACTED]

I have reviewed the proposed authorised health practitioner appointment and regulatory framework document. In answer to your specific questions:

- 1 I would suggest that there should be no real restriction on the authorisation with respect to medical matters. Given that a wide variety of questions may arise, and an appropriately qualified authorised health practitioner should be able to comment on these, I would recommend that it should be for all medical matters referred to in the regulation.
- 2 with respect to specific criteria, one may consider the professional qualifications of the individual. For example, it is relatively pointless for a psychiatrist to comment on musculoskeletal matters, or an orthopaedic surgeon to comment on gastrointestinal matters.
- 3 I would suggest that the best way to ensure high quality medical legal evidence is to ensure that particular practitioners are not closely aligned with any one particular party e.g. insurer or plaintiff law firm. Practitioners should be happy to accept referral from any party. This would encourage impartial assessments to be made purely on the facts rather than on satisfying a referral base.
- 4 Something similar to the Expert Code of Conduct could be incorporated into the Motor Accidents Guidelines.
- 5 I would also suggest that the accreditation process ensure that the authorised health practitioner has a clear understanding of the CTP legislation as well as a clear understanding of the aims and goals of the scheme to ensure that the best outcome is achieved for all parties.

Yours faithfully,

Dr Con Kafataris
MBBS, ABIME
Injury Management Consultant