

29 May 2019

Motor Accident Insurance Regulation
State Insurance Regulatory Authority
Level 13 West,
McKell Building
2-24 Rawson Place
SYDNEY NSW 2000

By email: [REDACTED]

RE: HEALTH PROFESSIONALS AND EARNING CAPACITY DECISIONS IN THE CTP SCHEME CONSULTATION

Suncorp welcomes the opportunity to contribute to the proposed advice on *Health Professionals and Earning Capacity Decisions in The CTP Scheme*.

Executive Summary

Suncorp recommends -

1. Strengthening the required experience before making earning capacity decisions and placement into durable, sustainable work;
2. Adding a category of Other (compensable) psychological injuries to the list of specialised knowledge required;
3. Requiring disclosure sign off of the supervisor's (or mentor's) requisite experience and qualifications prior to an assessment proceeding; and
4. Clarifying whether assessments of earning capacity are able to be provided by non-authorised SIRA health practitioners, including allied health professionals.

About Suncorp

Suncorp offers a range of financial products and services including banking, general insurance, compulsory third party (CTP) insurance, workers' compensation insurance and superannuation across Australia and New Zealand.

Suncorp has about 13,300 employees and relationships with 9.6 million customers. Suncorp is a top 20 ASX-listed company with \$99 billion in assets.

Suncorp provides a wide range of insurance products to small and medium sized businesses as well as to corporate customers. These products are distributed nationally, both directly and indirectly, through intermediaries.

Suncorp provides workers' compensation insurance in most available jurisdictions around Australia under the GIO brand. CTP insurance is provided in New South Wales, the Australian Capital Territory, Queensland and South Australia. Within the CTP schemes, Suncorp operates under the Suncorp, GIO, AAMI and/or Apia brands.

Suncorp has consistently taken a leadership role within the industry to advocate necessary reform to statutory schemes. We have published several white papers covering competitive underwriting, scheme design and no-fault lifetime care. As Australia's largest private personal injury insurer, we take this role seriously and continue to support reform that improves the lives of our customers. Copies of these white papers are available upon request.

This submission is made on behalf of Suncorp's New South Wales CTP business.

The Advice Document - Health Professionals and Earning Capacity Decisions in The CTP Scheme

Suncorp supports the overarching intent of the advice document, but does make the following recommendations-

1. *Required experience - Recent relevant professional experience (within three years)*

The recent relevant professional experience within three years is an acceptable criteria. However, we are of the view that to uphold the integrity of the scheme and the validity of assessments, a minimum of two years clinical experience prior to undertaking assessments should be required. There is concern that rehabilitation providers may assign CTP cases to new graduates or recently qualified health professionals with insufficient exposure unless a minimum clinical experience requirement is stipulated.

2. *Required experience - A minimum of 12 months of relevant experience*

We recommend a minimum of two years experience in completing functional psychological assessments, vocational assessments or standardised physical functional assessments should be required. The aim is to uphold the integrity of the scheme and validity of the assessments.

3. *Required experience - Demonstrated success in placing people in sustainable employment with injuries or disabilities similar to the person being assessed (when providing opinion relating to a person's ability to work in an appropriate labour market).*

When assessing people with the following diagnoses, specialised knowledge and durable sustainable placement experience are required:

- *traumatic brain injury*
- *spinal cord injury*
- *Post Traumatic Stress Disorder.*

We recommend that another category be added to the above list. Other (compensable) psychological injuries requires specialised targeted knowledge and experience to advance recovery at work, especially for those psychological injuries other than Post Traumatic Stress Disorder. Accordingly, Other (compensable) psychological injuries should be added to the list.

Further, we consider three years clinical experience should be required in placing people in durable, sustainable employment.

4. *Health professionals who meet the relevant skills and qualifications outlined above, but lack the required experience, may be engaged, provided there is guaranteed access to supervision/mentoring/peer review eg co-sign mechanism by a health professional who meets all qualifications, skills and experience requirements.*

We note mandatory disclosure is required prior to accepting an assessment referral that a supervisor or mentor will need to be engaged with details of the requisite experience and qualifications. To strengthen this approach, we recommend appropriate disclosure sign off in respect to the supervisor or mentor's requisite experience and qualifications should be required prior to the assessment proceeding.

5. *Notes - 1. These decisions are not medical assessment matters as defined by Schedule 2 of the Act or medical matters under clause 18 of the Motor Accident Injuries Regulation 2017 -*

Medical assessments must be made by SIRA authorised medical practitioners and this is appropriate. Note 1 indicates that pre-accident earning capacity and/or post-accident earning capacity of an injured person (earning capacity decisions) are not medical assessment matters and therefore Schedule 2.2 of the Act and medical matters under clause 18 of the Regulations do not apply.

Clarification is required as to whether assessments of earning capacity are able to be provided by non-authorised SIRA health practitioners. In formulating an earning capacity determination, an appropriate non-authorised SIRA allied health practitioner may have contributed to that determination (such as a physiotherapist who is aligned to the managing rehabilitation provider and completes a one off functional assessment). We consider their assessment should be available for use in these circumstances.

Conclusion

Suncorp welcomes this review into the Advice Document and is willing to work collaboratively with all relevant stakeholders towards enhancing CTP claims management practices and procedures. Should you wish to discuss any of the points raised in this submission, please contact me on [REDACTED] [REDACTED] [REDACTED] or by email at [REDACTED]

Yours faithfully

[REDACTED]

[REDACTED]
[REDACTED]
Accident & Trauma
Personal Injury Insurance