

1 September 2020

State Insurance Regulatory Authority
Level 6, McKell Building
Sydney NSW 2000

By email: consultation@sira.nsw.gov.au
Cc: SelfSpecialisedInsurers@sira.nsw.gov.au

Dear Sir / Madam

Consultation on health outcomes framework for the NSW workers compensation and motor accident/injury compulsory third party schemes

Thank you for the opportunity to respond to the State Insurance Regulatory Authority (SIRA) 21 July 2020 Consultation Paper titled: *Health Outcomes Framework for the NSW Workers Compensation and Motor Accident/Injury Compulsory Third Party Schemes*.

This response provides feedback from Coal Mines Insurance Pty Limited (CMI) to the proposed health outcomes framework (the Framework) outlined in the consultation paper. CMI, which provides workers compensation insurance services for the NSW coal industry (CMI Scheme), is a wholly-owned subsidiary of Coal Services Pty Limited, which administers a Specialised Health and Safety Scheme for the NSW coal industry.

CMI supports the development of the Framework as a continuation of SIRA's 2019 consultation on regulatory requirements for healthcare arrangements (2019 Consultation). Equally supported is the objective of ensuring that every dollar spent on healthcare by NSW statutory personal injury schemes delivers quality and value and optimises recovery.

Consultation feedback

Noting the proposed Framework is currently only developed at a high level and the non-trivial work to be done regarding development of the metrics and implementation of the Framework, CMI provides the following comments.

How can the health outcomes framework be most effectively used to improve health outcomes and the value of healthcare expenditure?

A focus on an increased level of engagement by participants both within and across the workers compensation and compulsory third party (CTP) schemes, facilitated by SIRA, is likely to produce a better understanding of how true value-based healthcare can be achieved. Including, as proposed, a greater level of data sharing, reporting and public benchmarking.

The key to realising these improvements will be a collaborative approach by SIRA and scheme participants, the basis for which has already been demonstrated in the response to the 2019 Consultation paper on regulatory requirements for healthcare arrangements.

Is the outcomes framework useful to your organisation in clarifying the vision and direction for healthcare in the workers compensation and CTP schemes?

Yes. As noted in our response to the 2019 Consultation, the value-based care principles that underpin the proposed Framework aim to ensure that the injured person gets the right treatment for their injury/condition as well as other scheme participants having a positive experience throughout the treatment program. CMI considers that such an approach is paramount to achieving the best RTW and health outcomes for those assisted by any personal injury scheme. This requires open and transparent lines of communication with all scheme participants. CMI is of the view that the proposed Framework will assist its efforts to produce the best outcomes for the injured workers it supports and the CMI Scheme overall.

Will the outcomes framework influence your approach to healthcare in workers compensation? If so, when and how?

CMI's approach to healthcare in workers compensation is aligned with the value-based approach that underpins the proposed Framework. CMI is supportive of further development of the Framework and quantitative metrics and looks forward to working with SIRA and other scheme participants to that end and to the implementation of the agreed Framework.

What can workers compensation participants (insurers, health practitioners, claimants, employers) do to help advance the vision of value-based care in the scheme?

Insurers (workers compensation)

Insurers in personal injury systems need to deliver person-centred case management models that include regular contact with the worker by their case manager and injury management specialist, their employer (in the case of workers compensation matters or where otherwise relevant), and health practitioners and include them in the development of all treatment plans. Critical to this is the ability to help the injured person navigate and understand what can on occasion be complicated recovery programs.

Additionally, increased scrutiny of, and partnership with, health practitioners that includes education on insurers' Injury Management Programs, as well as Monitoring of employers' reporting of injuries and holding them accountable to their obligations under the legislation in relation to delays in reporting, including referrals to the appropriate regulator where necessary. In workers compensation matters, injury notification delays directly impact the timely provision of reasonably necessary treatment and can lead to extended recovery durations and poorer outcomes for injured workers, their employers and the workers compensation scheme overall.

Health practitioners

All health practitioners working in the personal injury schemes should have performance measures focused on achieving return to work (RTW) and return to health outcomes, and these should be accessible to injured persons and insurers to allow them to make informed decisions around who is going to provide the best care for their injury. Surgeons' success and/or complication rates should also be made available to allow the injured person and insurer to make informed decisions to help them recover from their injuries. It would also be useful to highlight procedures that have low success rates in achieving a positive outcome, which would assist with the development of treatment programs.

Injured persons and employers

Injured persons and their employer (where relevant) in both schemes should be provided with easily accessible information on proposed healthcare and openly communicated with so that they understand the options available, the recovery timeframes, and expected outcomes.

Are there areas where you believe SIRA should focus its implementation efforts to best promote achievement of value-based care?

SIRA should look to evolve current insurer and other scheme participant forums to improve collaboration within and across the schemes. To be achieved through focussed sessions facilitated by SIRA with the common objective of ensuring a value-based model for all healthcare in the statutory NSW personal injury schemes. More tangibly, working groups could be established out of these broader forums to progress specific elements of the Framework.

Additionally, SIRA should look at programs for the further education and regulation of all health practitioners working in the personal injury schemes to help ensure consistency in delivery of treatment services that support safe, timely and durable RTW and health. It is also imperative that workers and motorists have easy access to reasonably necessary healthcare and treatment that is outcome based.

Do you have any comments on the implementation plan?

CMI supports the implementation plan noting, as above, that the proposed Framework is currently only developed at a high level and the amount of non-trivial work to be done in development of the metrics and other aspects of the Framework before it can be implemented.

Conclusion

In summary, CMI supports the implementation of the Framework as a continuation of SIRA's 2019 Consultation and notes that key elements for a successful implementation include:

- Collaboration with key personal injury scheme participants (insurers, health practitioners, injured persons, employers) in the form of working groups and networks to help develop and implement a value-based care model.
- Implementation and monitoring of evidence-based models for healthcare delivery.
- Education and support by SIRA to help embed this approach across the schemes.
- Measuring, monitoring and publication of insurer and healthcare performance outcomes.

As an organisation that has been trusted with the health and safety and support of workers in the NSW coal mining industry for almost 100 years, CMI would like to take the opportunity to thank SIRA for providing an opportunity to contribute to a proposal to fully embed a values-based healthcare approach across the NSW statutory personal injury schemes.

CMI would also like to reiterate that we would be interested in participating in any future working groups or further consultation arising from this proposal and would welcome further discussion with SIRA on this matter.

Yours faithfully

Lucy Flemming
Managing Director/CEO