

9 March 2022

Level 11, 257 Collins Street
Melbourne VIC 3000
PO Box 38
Flinders Lane VIC 8009
T: (03) 8662 3300

David Grant
Director | Health Policy, Prevention and Supervision
State Insurance Regulatory Authority (SIRA)
231 Elizabeth St
Sydney NSW 2000

Submitted via email: healthpolicyandsupervision@sira.nsw.gov.au

Dear David,

APS response to the SIRA consultation on the draft Guidelines for the Provision of Relevant Services (Health and Related Services).

The Australian Psychological Society (APS) welcomes the opportunity to provide feedback to the State Insurance Regulatory Authority (SIRA) about the draft *Guidelines for the Provision of Relevant Services (Health and Related Services)*. The APS and SIRA work collaboratively to achieve the best psychological outcomes for people in NSW who have experienced a motor accident or work-related injury. The APS is supportive of the SIRA Compensation Scheme and supports its aim to deliver expert and quality care to injured people.

The APS notes that the draft Guidelines are part of the regulatory framework established by amendments to the *State Insurance and Care Governance Act 2015* and the *State Insurance and Care Governance Regulation 2021*, that SIRA consulted on last year and to which the APS responded. We also understand that the draft Guidelines specify SIRA's service and billing expectations for the relevant services delivered by health and health-related service providers in the workers compensation and CTP schemes.

In making this submission, the APS has reviewed the draft Guidelines and consulted with NSW-based members with expertise in providing psychological services within the SIRA scheme. The feedback provided reflects the views of APS members.

Should any further information be required from the APS, please do not hesitate to contact me on [REDACTED]

Yours sincerely,

[REDACTED]

Dr Zena Burgess FAPS FAICD
Chief Executive Officer

APS Response to the SIRA consultation on the draft Guidelines for the Provision of Relevant Services (Health and Related Services).

The APS is supportive of the State Insurance and Care Governance Act 2015, the State Insurance and Care Governance Regulation 2021, and the draft Guidelines for the Provision of Relevant Services (Health and Related Services). We understand that many of the requirements outlined in the draft Guidelines already apply to psychologists working within the scheme. Upon reviewing the draft Guidelines, APS members have provided the following comments and feedback.

Part	Section	APS Feedback
<p>Part 3:</p> <p>Requirements for the provision of relevant services</p>	<p>Notification requirements</p> <p>23. In providing relevant services, the RSP must notify SIRA (in writing within seven calendar days) if they become aware that:</p> <ul style="list-style-type: none"> a) there are changes to their registration, licence, accreditation, or membership of a self-regulating professional organisation. b) there are any disciplinary proceedings against them with their relevant registration body, accrediting body, or self-regulating professional organisation. c) they have been referred to, or is under investigation by, a relevant clinical, professional, or accreditation body or self-regulating professional organisation. d) a complaint has been made about them to (and/or is under investigation by) an insurance, compensation or health authority government agency or statutory body regarding their conduct in any role in any insurance or compensation system in any Australian jurisdiction or in the provision of health services. 	<p>The APS recognises the importance of this requirement and agrees with its inclusion in the draft Guidelines. We believe that the Guidelines need to include further detail in terms of outlining the appropriate steps RSPs must follow to notify SIRA of any potential registration or accreditation restrictions being applied to an RSP whilst they are providing services under the SIRA scheme. For example, providing the appropriate contact details (i.e., providers@sira.nsw.gov.au) and information about how the RSP can arrange continuity of care (i.e., a link to SIRA's allied health practitioner search tool).</p>

Part	Section	APS Feedback
	<p>e) information provided to SIRA in any application (if relevant) was incorrect or incomplete.</p>	
<p>Part 4: Requirements regarding telehealth services.</p>	<p>31. Relevant services can only be provided via telehealth if:</p> <p>a) there has been a face-to-face consultation by the RSP with the injured person within the last 12 months (except where the injured person is in a remote or very remote area.</p> <p>The Guidelines adopt the terms 'remote' and 'very remote' as described in the Australian Bureau of Statistics Australian Standard Geographical Classification System</p>	<p>APS members provided feedback that this requirement may not be appropriate for psychologists who work in rural areas. There are concerns that this requirement will negatively impact psychology service providers in rural areas in terms of their ability to continue to see injured people for workers compensation claims. It was reported that clients in rural areas, not just remote or very remote areas, are regularly unable to access local providers (i.e., either due to no local providers being registered with SIRA, or no providers accepting new clients in their region). As some of these injured workers live within a rural, but not remote location, they may be unable to access treatment. The APS is therefore concerned about how this will impact current and future clients who may not have access to health services as a result.</p> <p>We are aware that SIRA's intent around this requirement is to ensure clients are provided with a choice in terms of how they receive a service within a metropolitan context. However, the APS is of the view that it is appropriate for a psychologist to offer telehealth services without the need to see the client face to face, particularly in areas where choice of service provider is already limited. Should the requirement remain as specified in the draft Guidelines, the APS would recommend some other provision be included to offset the</p>

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		<p>inconvenience to the client and costs of time taken to travel to receive the face to face service, i.e., increased allowance for transportation costs. However, even within this context, such a provision may not be appropriate. For example, this may require clients to travel several hours each way just to be seen for a one hour face to face session. Despite this only being required once in every 12 months, the APS does not consider it a reasonable expectation and hold concern that there is a risk that clients may forego treatment as a result.</p> <p>This requirement may significantly disadvantage injured people in rural areas as compared to those living in metropolitan areas. People in rural and remote locations are already disadvantaged in terms of their access to practitioners. In addition, they are at higher risk of psychological distress and are adversely impacted by other determinants of health such as economic hardship, lack of employment and education opportunities and social isolation. Further, this requirement does not appear to align with the intent of the scheme to achieve the best health outcomes for people who have experienced an injury. SIRA may also consider broadening the definition of remote or very remote to include regional/rural areas or offer an exemption process where this could be considered on a case by case basis.</p>
<p>Part 9: Requirements for billing for</p>	<p>39. In billing for the provision of relevant services, the RSP must:</p>	<p>APS members noted that the draft Guidelines specify that no fee can be charged for a cancellation or non-attendance by an injured person for treatment services.</p>

Part	Section	APS Feedback
relevant services	b) not charge a fee for cancellation or non-attendance by an injured person for treatment services.	<p>Whilst we acknowledge that this relates more to the consultation on fees, APS members have reported that it would be beneficial for the draft Guidelines to provide more specific steps to best manage the situation when clients consistently cancel or fail to attend appointments without genuine reasons. For example, many psychology practices have a 'two opportunities' policy, whereby future appointments may be cancelled, or the client is returned to a waitlist if they do not attend appointments without providing notice or if there are multiple cancellations with less than 24 hours' notice for non-emergency reasons.</p>
General comment		<p>The APS is open to collaborating with SIRA regarding the communication of the final Guidelines to APS members as well as partnering with SIRA to develop appropriate resources and training to support psychologists working within the scheme.</p>