



SISA Update June 2018

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Sponsored by:



Overall situation

- Very quiet
- Govt has not paid any attention to RTW issues so far
- May change if Mitchell appeal is lost
- Revoking the Premier's Direction remains an issue – expected it to be done by now
- Staying in contact with Minister's office

Supreme Court cases

- Heard but no decision:
 - *Brealy & Rullo* – physical causation
 - *Li* – psychological causation
 - *Preedy* - WPI aggregation
 - *Robinson* - Federal Min Wage and redemption

Supreme Court cases

- Decisions handed down:
 - *Brennan-Lim* – SASCFC 105 2017 – interpretation of IAG
 - *Watkins* - SASCFC 149 2017 – weekly payments, s.7(6) & transitional provisions
 - *Roberts* - SASCFC 25 2018 – the ‘mozzie bite’ case
 - *Robinson* – SASCFC 32 2018 – Federal minimum wage v redemption
 - *Rudduck & Karpathakis* – future medical costs & surgery

Supreme Court cases

- Leave to appeal granted but unheard:
 - *Mitchell* – WPI aggregation
 - *Stevenson* – claim for lump sum after consent orders were made
 - *Vodden* – discontinuance v 30% WPI
 - *Renfrey* – hearing loss

Recent SAET cases

- *Dallimore v RTWSA [2018] SAET 67* – WPI combination case
- *Crase v Department for Correctional Services [2018] SAET 69* – application for orders to disclose documents refused
- *RTWSA v Anderson [2018] SAET 70* – application for further WPI assessment due to deterioration refused

Recent SAET cases

- *Goodrick v Utilities Management Pty Ltd [2018] SAET 78* – s.18 - dismissal for S&W misconduct does not preclude a SAET finding re provision of suitable work
- *Austral Meat v Hindmarsh & RTWSA [2018] SAET 82* - psychiatric injury arose wholly from unreasonable administrative action taken in a unreasonable manner

Recent SAET cases

- *DECD v Rich [2018] SAET 83* – consent orders set aside in the interests of justice
- *White v RTWSA [2018] SAET 91* – claim for serious injury status due to mental injury – referred to IMA for fresh GEPIC assessment
- *Harvey v Viterra Ltd [2018] SAET 95* – discussion of reasonableness of party/party legal costs
- *Greenwood v RTWSA [2018] SAET 96* – application for serious injury status rejected – separate shoulder injuries not to be combined

Review of RTWA 2018

- Review is complete (deadline was 18 June)
- Report is with the Minister
- Report must be tabled in Parliament within 12 sitting days
- That means no later than 26 July
- Can be published after it is tabled
- More hangs on Supreme Court decisions than the review.

Review of RTWA 2018

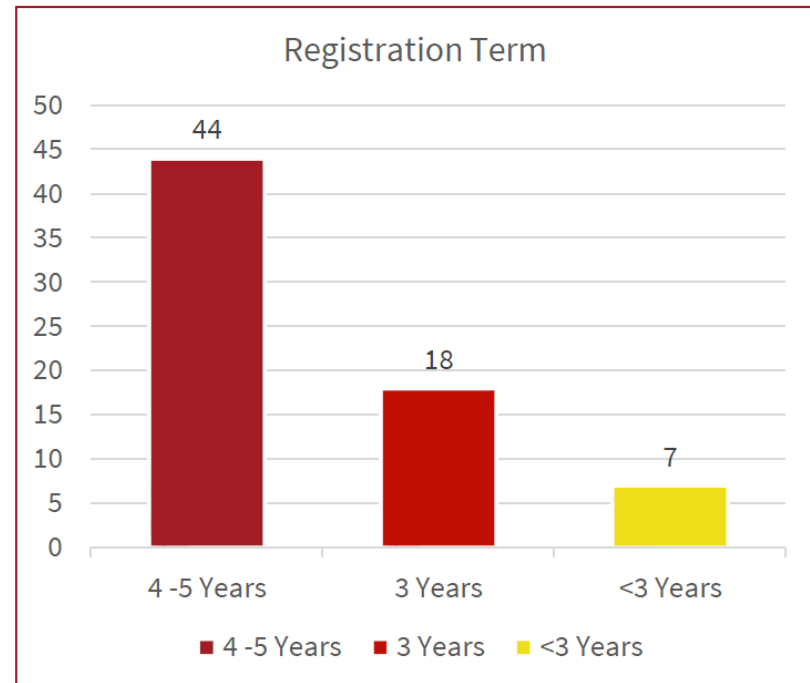
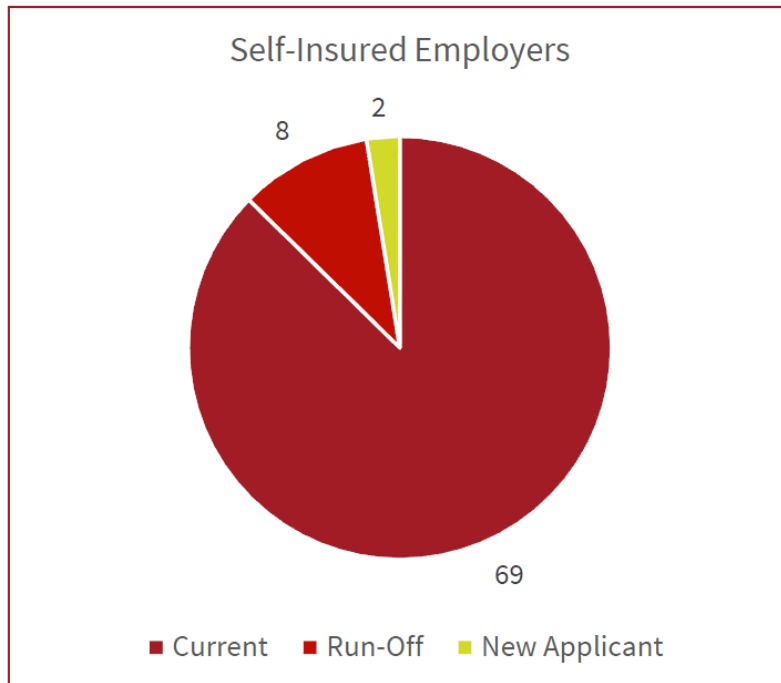
- Likelihood of Review resulting in early changes to RTWA not high unless Supreme Court rulings places scheme at risk
- New Govt has high priority legislation to address first
- RTWSA says it has prepared amended WPI Guidelines fixing some of the main issues
- Assume RTWSA will pursue this with Minister Lucas

ICAC evaluation of SWSA

- Initial public hearing held 1/6/18
- ICAC stresses this is an evaluation, not an investigation – not sure what the distinction is
- ICAC will announce further hearings in due course
- Public statement is on our website
- Hard to say precisely what triggered this – language of statement is interesting
- It *seems* that ICAC has some sort of evidence of maladministration
- Any findings of same will be referred to OPI

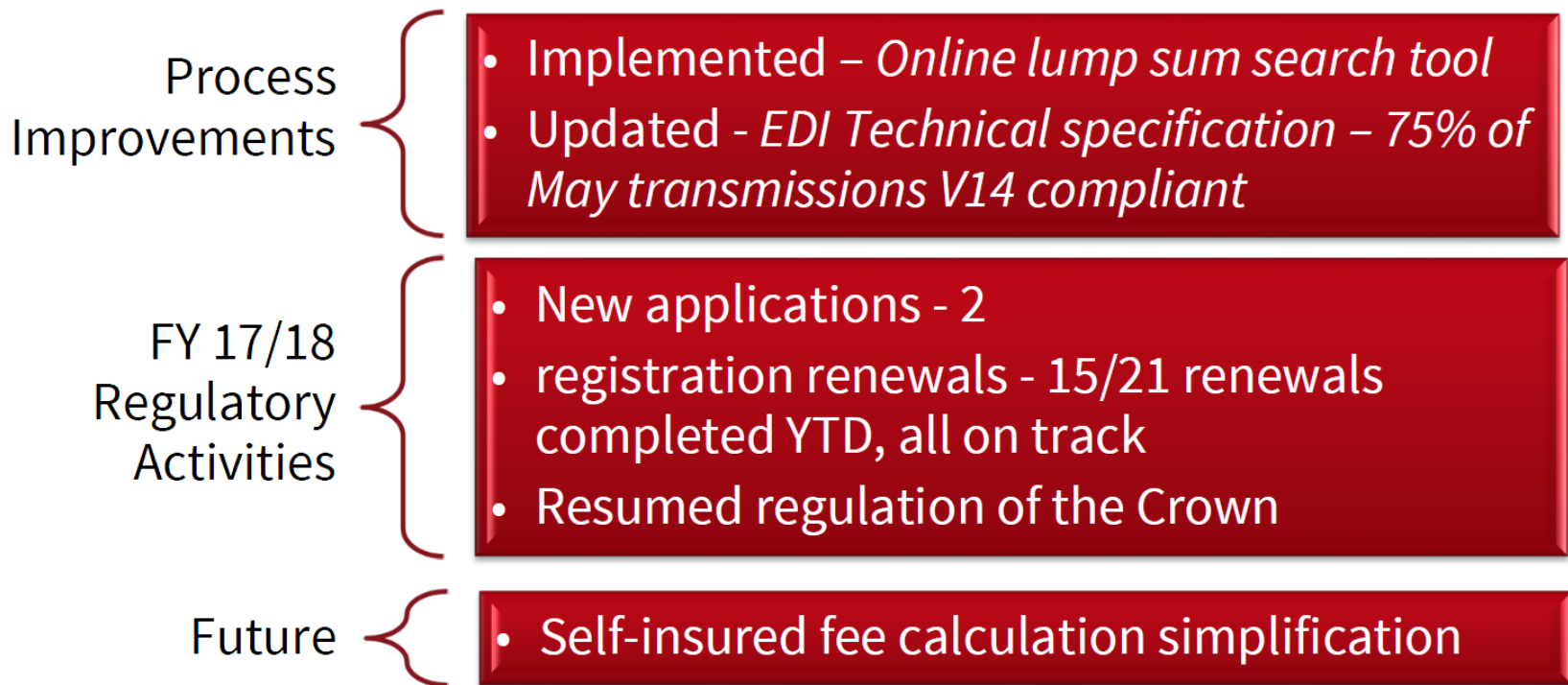
From RTWSA scheme update

Private Self-insurance profile (as at May 2018)



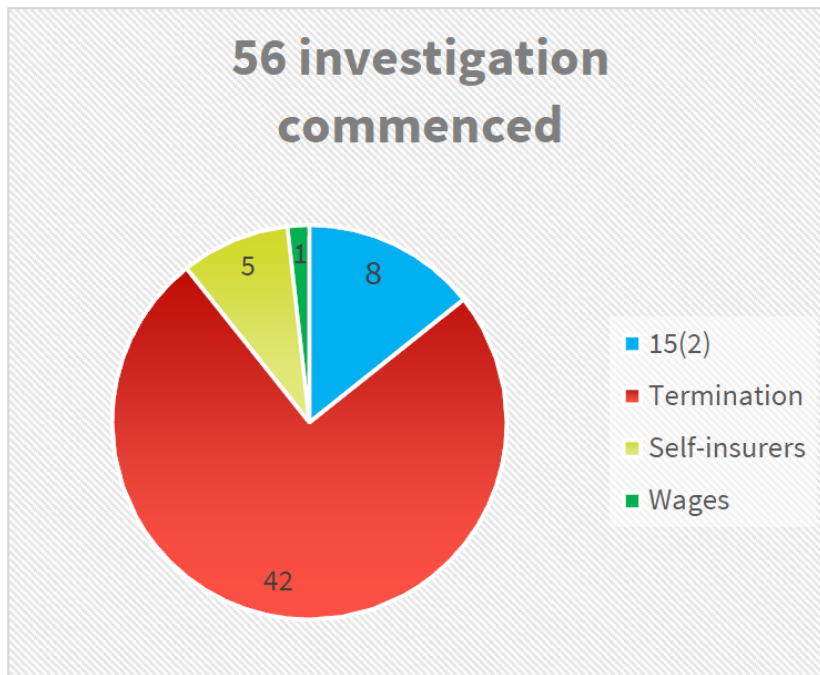
From RTWSA scheme update

Self-insured Activity



From RTWSA scheme update

Employer Regulation in 2018



Investigations completed

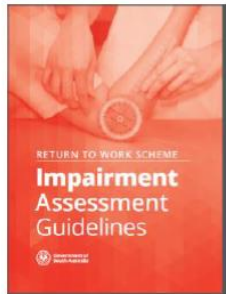
Terminations - 29

Self insurers
5

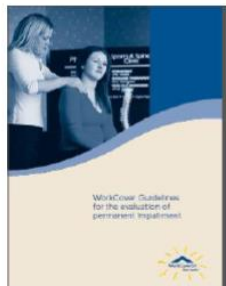
s15(2)
5

From RTWSA scheme update

Impairment Assessment Services in 2018



469 reports reviewed



15 reports reviewed

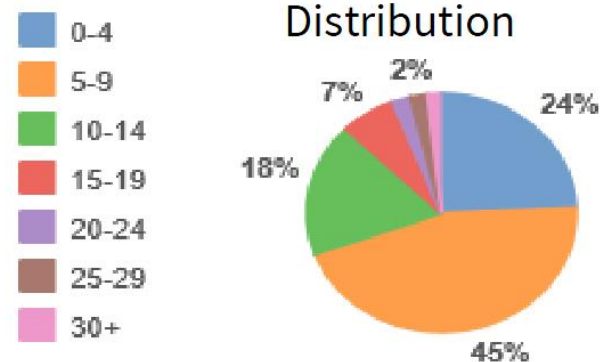
484 reports reviewed in total



Compliance rate



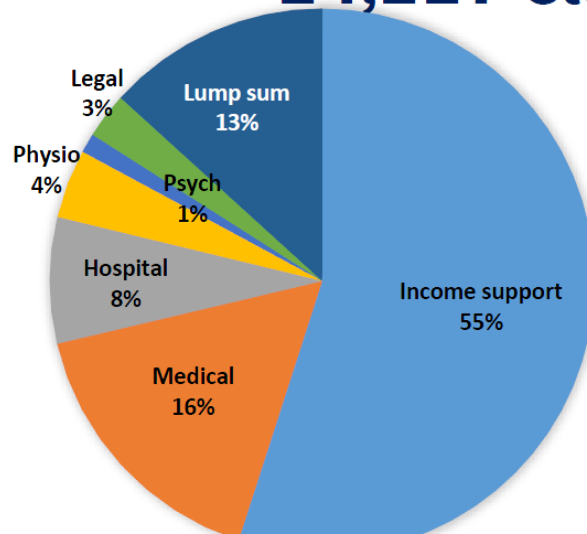
Distribution



From RTWSA scheme update

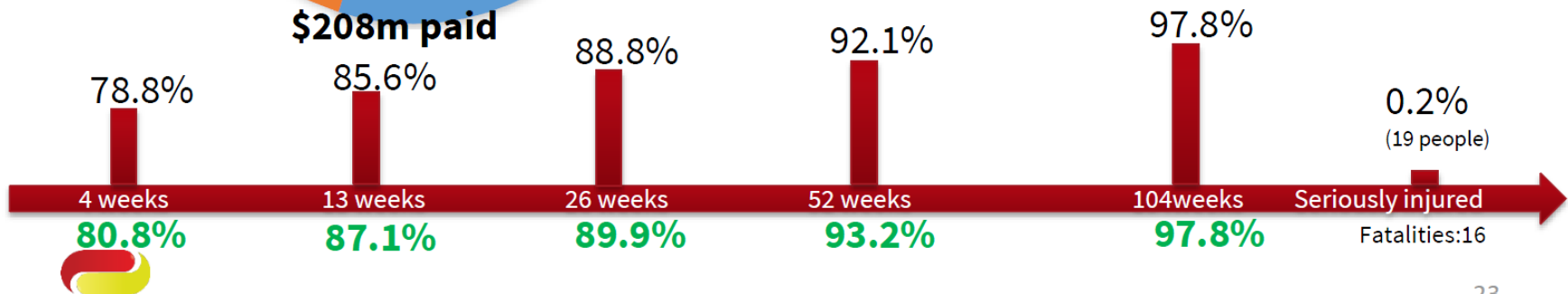
Payments

14,117 claims in FY15/16

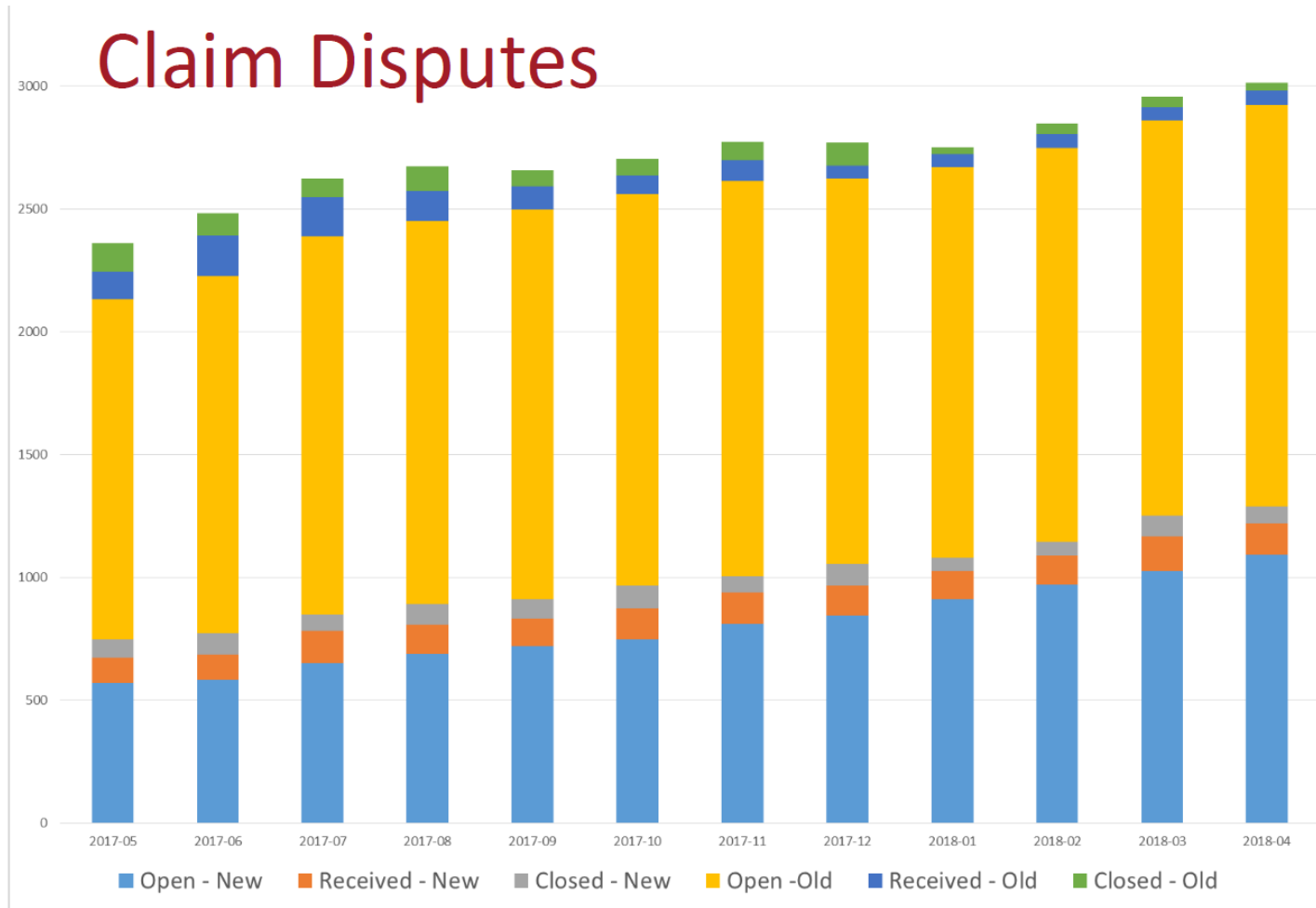


- *Accepted* 87.8%
- *Not accepted* 3.6%
- *Withdrawn* 4.3%
- *Incident report only* 4.3%

At work outcomes

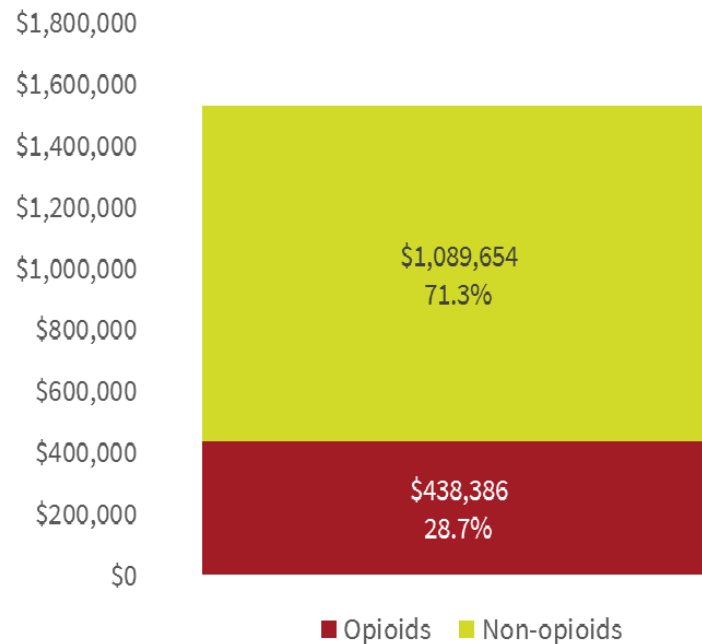


From RTWSA scheme update



Interesting data on opioid use

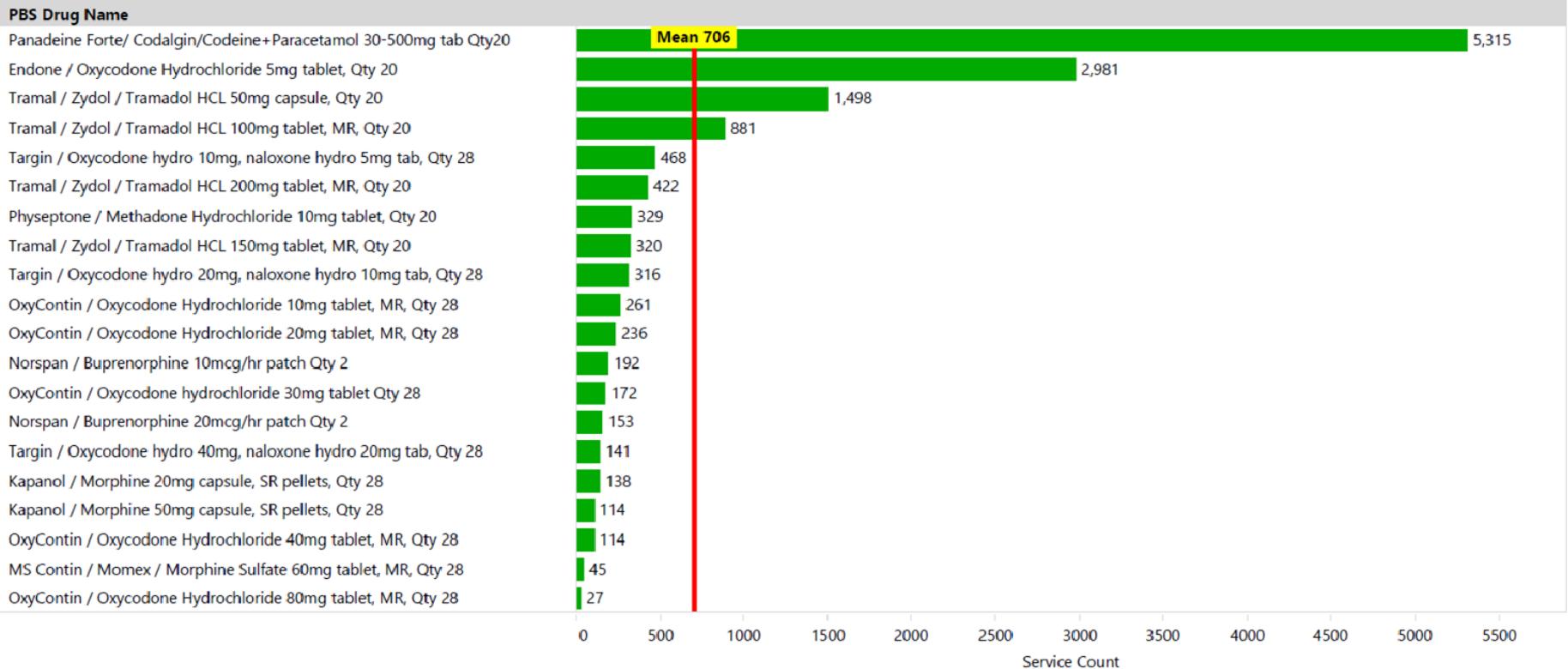
Medication Cost FY 16-17



Interesting data on opioid use

Top Opioids by Volume FY 16-17

Top 20 Drugs by Service Count



Service available to SIs

Scheme initiatives – Second Opinion Pharmacy

- Service for GPs to educate and support better medication management
- Medication reviews for workers = better health and RTW outcomes
- Partnership with DATIS to deliver in clinic service to GPs and workers
- Services have already commenced
- Available to specialists
- Available to self insured employers



Drugs and Therapeutics
Information Service (DATIS)



Questions?

