

Self-Insured Injury Management and Guidance Notes Feedback

The introduction of standards relating to the governance of Early Intervention (EI) programs implies that there is value in professionally managed EI programs for both injured individuals and employers, and equally acknowledge governance over EI programs is necessary to ensure injured workers are not directly or indirectly prejudiced from seeking full workers compensation statutory entitlements.

To ensure this, it is reasonable for the regulator to have guidelines in place for what an EI process looks like and to ensure it is in addition to the “benefits” of a claim not as a replacement.

Potential Guideline inclusions to ensure appropriate governance of a program, some examples below,

- Max expenditure as an example, e.g. \$1000
- No lost time to be part of a program- this would always be a lodged as a claim.
- Regular communication with provider of services to enable the worker to remain at work safely – by way of a written policy for the inclusion of appropriate time limits.
- Minimise impact on worker both physically and financially – this develops a critical relationship between worker an employer.
- Allows for immediate intervention – for the best outcome.
- Written communication that a claim can be lodged at any time – as part of the Employer process.

There seems to be a belief by some stakeholders that EI deprives the worker of an entitlement is inherently incorrect and assumes the SI employer is setting up a process to avoid a claim as opposed to better managing the issue before it becomes necessary for a claim. A well-managed EI program is of great benefit and advantage to overall Injury Management.

It is noted that most SI employers do this well, but some might require a longer period of transition, than the proposed 6 months, including stakeholder consultation and system development, to ensure their systems are updated to satisfy full compliance with the new standards.

There is a question regarding the introduction of the New Sub Element 1.1.4 the second dot point “Injury Management documents explain”,

The wording requires clarification,

To make the distinction with workers entitlements it might be misconstrued in the New Sub Element that workers may be missing out on entitlements, the very nature of an EI is to ensure there is appropriate and timely treatment, that there is no avoidance of Workers entitlements by offering EI (i.e. Worker lost time but not paid due to EI), a suggestion would be for the wording to say, - including the “Workers right to make a claim”, provides an readily understood process versus the below inclusion.

- processes for providing accurate and complete information that is consistent and easy to understand (including evidence option about any claim, entitlements, obligations, and responsibilities have been communicated).

	o 'the process for considering 'wider issues' in line with schedule 5, part 4:'	
1.1.4 Manage early intervention programs (if applicable)	<p>New Sub-element: 'Injury management documents explain:</p> <ul style="list-style-type: none"> • processes for communicating the program to employees including the types of services included in the program including any limits that apply. • processes for providing accurate and complete information that is consistent and easy to understand (including evidence options about any claim, entitlements, obligations and responsibilities have been communicated). • roles and responsibilities for monitoring the program including: <ul style="list-style-type: none"> o adherence to defined services and limits o monitoring of program usage o monitoring of costs for each element of the program • processes following conversion to a claim including communications, records management and date entry requirements.' 	<p>Gain oversight of program parameters and process when work injuries transition to a claim.</p> <p>Also ensure worker's receive adequate communication regarding employer's early intervention program (EIP), rights and entitlements, if work injury claim is lodged.</p> <p>Ensure employer is monitoring the EIP and if there are any delays on recovery due to late access to claim entitlements.</p>

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