



# Premier & Cabinet


2 MAR 2010

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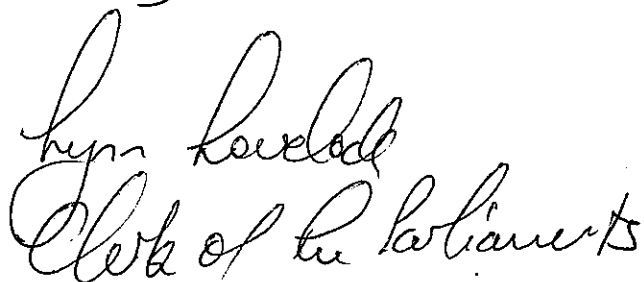
Dear Ms Lovelock

Please find enclosed the Government's response to the Second Review of the Lifetime Care and Support Authority and the Lifetime Care and Support Advisory Council by the Legislative Council Standing Committee on Law and Justice.

Yours sincerely

  
VICKI D'ADAM  
For Brendan O'Reilly  
Director General

Received by me  
Tuesday 2 March 2010

  
Lynn Lovelock  
Clerk of the Parliaments

**Government Response to the Second Review of the Lifetime Care and Support Authority and the Lifetime Care and Support Advisory Council by the Legislative Council Standing Committee on Law and Justice**

**Recommendation 1:**

*That the Minister for Finance request the Lifetime Care and Support Authority or the Motor Accidents Authority, as appropriate, to conduct research into the issue of people hit by a projectile whilst in a registered motor vehicle including:*

- *the number of incidents in NSW,*
- *nature and severity of injuries resulting from these incidents, and*
- *the potential impact on the Lifetime Care and Support and Compulsory Third Party Schemes, if these incidents were to be covered.*

**Response:**

The Minister for Finance has requested that the Motor Accidents Authority progress this recommendation. The Motor Accidents Authority expects to finalise its research later this year.

**Recommendation 2:**

*That the Lifetime Care and Support Authority examine the role and membership of the supported accommodation expert advisory group to improve its effectiveness.*

**Response:**

In relation to the issues raised about the availability of supported accommodation more broadly, the Review report notes that the Lifetime Care and Support Authority has undertaken a number of steps to improve accessibility including developing relationships with community housing providers who are assisting with accommodation for participants. Furthermore, the Authority has purchased two houses for participants with very high support needs. Two to three participants will share each house and the care.

The Authority will consider how the supported accommodation expert advisory group might play a more effective role in advising on issues related to supported accommodation.

**Recommendation 3:**

*That the Minister for Health request NSW Health to:*

- *consider the comments of the Greater Metropolitan Clinical Taskforce, the Department of Rehabilitation at the Children's Hospital at Westmead and the Lifetime Care and Support Authority as part of its review of the impact of the Lifetime Care and Support Scheme on health service resources, and*
- *provide the results of its review to the Committee, once they become available.*

**Response:**

NSW Health has undertaken a review of the impact of the Lifetime Care and Support Scheme on health service resources, with input from Area Health Services. The comments of the Greater Metropolitan Clinical Taskforce, the Children's Hospital at Westmead and the Lifetime Care and Support Authority were taken into consideration as part of the review.

The final report on the review is expected to be finalised shortly and will be forwarded to the Standing Committee on Law and Justice.

**Recommendation 4:**

*That the Lifetime Care and Support Authority, in the case of potential child participants, consult with the treating rehabilitation team regarding the appropriate timing for the introduction of the Lifetime Care and Support coordinator.*

**Response:**

As the Committee notes in its second review, Lifetime Care and Support coordinators perform an integral role in providing a link between participants and their families and the Authority. Feedback from scheme participants indicates that the families of people who are likely to enter the scheme would like more contact with Lifetime Care and Support coordinators. Contact between Lifetime Care and Support coordinators and the families of potential child participants will be arranged in consultation with the treating rehabilitation units.

**Recommendation 5:**

*That the Minister for Finance review the membership of the Lifetime Care and Support Advisory Council to consider including representatives of Lifetime Care and Support Scheme participants and allied health workers and professionals and, if necessary, seek an amendment to the Motor Accidents (Lifetime Care and Support) Act 2006.*

**Response:**

The Lifetime Care and Support Authority is keen to have participant representation on the Lifetime Care and Support Advisory Council. The Minister for Finance has requested that the Lifetime Care and Support Authority prepare a proposal to include two participant representatives on the Lifetime Care and Support Advisory Council. With regard to allied health workers and professionals, it is noted that the Lifetime Care and Support Advisory Council currently includes two health practitioners and two representatives of people concerned with the treatment, rehabilitation and care of injured people.

**Recommendation 6:**

*That the Lifetime Care and Support Authority create and facilitate a participant and family carers working group that can support the participant representative on the Lifetime Care and Support Advisory Council.*

**Response:**

The Lifetime Care and Support Authority will convene two forums for participants in 2010, one in Sydney and one in Newcastle. These forums will provide for the identification of participant and family carer issues that will inform the deliberations of the Advisory Council.

**Recommendation 7:**

*That the Lifetime Care and Support Authority:*

- *carefully consider the role that recreation and leisure has in the psychosocial rehabilitation of participants and reconsider funding the cost of recreation and leisure activities (and not just access to the activity), especially for those participants who are not able to return to vocational employment or education, and*
- *when interpreting the definition of recreation and leisure, a broad approach be taken so that, where appropriate, it includes unusual activities that may be of particular interest and therapeutic value to participants.*

**Response:**

As noted in the Review Report, the Lifetime Care and Support Authority will pay for recreation and leisure when there is a therapeutic benefit from the activity and when it is part of a rehabilitation program. The Authority will also pay for the access costs to the activity including attendant care workers where required.

The Lifetime Care and Support Authority is continuing to work on a recreation and leisure guideline, and will consider the role and funding of recreation and leisure in the context of developing the guideline.

**Recommendation 8:**

*That the Lifetime Care and Support Authority:*

- *ensure its education campaigns are wider spread to address awareness issues for service providers in rural and cross border areas and*
- *consider conducting community awareness campaigns of the Lifetime Care and Support Scheme for the general public.*

**Response:**

The Lifetime Care and Support Authority targets its ongoing education and information programs at health professionals and service providers who are likely to be involved in the treatment and rehabilitation of scheme participants. The Authority also runs education and information sessions in major trauma centres. While the Authority considers this to be the most effective way to provide information to those who need it, it will consider broader community awareness campaigns as appropriate.

**Recommendation 9:**

*That the Minister for Finance request that the NSW Attorney General examine the issue of awarded damages for the future care of injured people being used as part of divorce settlements and other legal settlements, and if appropriate, refer the issue to the Standing Committee of Attorneys General.*

**Response:**

The Minister for Finance referred this recommendation to the Attorney General. The recommendation is currently under consideration.