

26<sup>th</sup> July 2022

The Director  
2022 Review of the Workers Compensation Scheme  
Parliament House  
Macquarie Street  
Sydney NSW 2000

By email: [law@parliament.nsw.gov.au](mailto:law@parliament.nsw.gov.au)

Dear Sir/Madam

### **2022 Review of the Workers Compensation Scheme**

The Australian Medical Association (NSW) Limited (**AMA (NSW)**) welcomes the review of the workers compensation scheme being undertaken by the NSW Legislative Council's Standing Committee on Law and Justice.

AMA (NSW) notes the focus of the review is the increase in psychological claims.

Mental health presentations in medical practices have markedly increased since the pandemic began.

AMA (NSW) Council members have first-hand experience of the increase in psychological claims under the workers compensation scheme, and even in those cases where there may not be a psychological component to the claim, the associated psychological impacts on patients who make workers compensation claims are concerning.

The process of making a claim for psychological and / or other injury can exacerbate psychological symptoms. Psychological distress is exacerbated by the questioning of diagnoses and / or the questioning about the extent to which work has caused or contributed to an injury. This may also delay access to treatment and further exacerbate the distress.

AMA (NSW) is concerned that there is an ever-increasing emphasis on questioning the need for treatment and care, which delays access to timely treatment and care. In some cases, this results in medical practitioners discussing the availability of Workcover funded care and non-Workcover care and further, in certain cases, steering patients towards non-Workcover care.

The identification and management of psychological work-related injuries is complex. It can be challenging to tease out the purely work-related issues from non-work contributors.

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AMA (NSW) wishes to see the focus of the workers compensation scheme be timely access to care, recovery and return to work which is in the best interests of employees and employers.

Yours sincerely

***Dr Michael Bonning***  
***President, AMA (NSW)***