

## **Supplementary Information for the Law and Justice Committee in relation to the Eleventh Review of the Motor Accidents Authority**

The Motor Accidents Authority (MAA) has made numerous improvements to the way in which people suffering the effects of motor accidents receive much needed rehabilitation for their injuries. We support the timely provision of reasonable and necessary treatment for the benefit of patients, and we support strategies that will facilitate such treatment.

In our submission of 9 August 2011 and during our oral presentation to the Committee on 10 October 2011, the Australian Physiotherapy Association (APA) raised the issue of insurance companies setting fee schedules, regardless of the skills or experience of the physiotherapists.

We believe that the failure by insurers to consider appropriately the requirements of injured persons, expertise of the physiotherapists, and the suggested treatment needed to achieve meaningful outcomes, has the potential to create a dearth of physiotherapists willing to treat motor accident patients, and reduce the overall outcomes for such patients.

During our oral presentation, we were asked to provide information about the fees typically charged by physiotherapists in private practice in NSW.

Our latest data comes from an annual survey that we commissioned from an independent market research organisation, Millward Brown Australia. Its results, from a sample of about 350 physiotherapists (out of around 6,500 registered physiotherapists) in NSW show that physiotherapists' fees for private patients range from \$45 to \$200 per initial consultation (mean value \$77.39), and \$35 to \$105 for a standard consultation (mean value \$65.72). To obtain the data, each practice was called by a "mystery shopper" who simply asked what it would cost to see a physiotherapist for the first time, and the cost if the patient had to return.

This data represents fees for private consultations and does not take into account variables such as professional expertise of the treating physiotherapists or individual case complexities. Also, it does not take into account the additional work required for compensable patients over and above that needed for private patients. For example, in the management of an injured person suffering from whiplash-associated disorder, the early and effective identification of psychosocial factors, post-traumatic stress disorder and medico-legal issues are essential in the determination of appropriate management and the outcome of motor vehicle accident patients. Physiotherapists are most often the practitioners to identify these factors during consultation. Furthermore, in the management of an injured person suffering from a traumatic head injury following a motor vehicle accident, treatment consultations are often lengthy, requiring significant reinforcement, feedback and family education to achieve specific activity and daily living milestones. In addition to this, extra administration time for seeking approval from insurers, chasing them up when they don't respond, extra reporting requirements, and following up payments are also required for compensable patients.

Therefore, relying on this data for the current purpose would therefore cause the Committee to make the same mistake made by insurers – to believe that a uniform schedule of fees should be set for all injured people in motor vehicle accidents without consideration of the individual factors affecting the patient. The current patient-centered approach, required by the MAA documentation, is for physiotherapists to include the individual factors affecting the injured person, the outcomes of proposed intervention, and to attach their individual fee schedule with their Notification of Commencement (NOC) Forms for consideration by the insurer. (NOC Forms are submitted by physiotherapists to insurers to propose a course of treatment for injuries sustained in motor vehicle accidents).



As stated in our oral submission to the Committee, we believe that the current procedures outlined by the MAA for the management of people suffering from motor vehicle accidents are robust and encourage the prompt and effective management of the injured person and consideration of their individual factors influencing the ongoing nature of their problem. We also believe that physiotherapists play a vital and key role in the management of patients suffering from motor vehicle accidents, and hence have a direct influence on the outcome.

We have proposed that what is required is a much-needed review of the documentation submitted by physiotherapists; namely the Physiotherapy Notice of Commencement and the Physiotherapy Review Forms. These documents can be further simplified to achieve the same result for the injured person while clearly articulating the problems, the outcome measures and goals, and proposed treatments. The addition of the physiotherapist's type and level of expertise can also be included in these Forms to better inform the insurer during their consideration of reasonable and necessary treatment, as well as their consideration of reasonable remuneration.

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