

Submission
No 249

INQUIRY INTO NSW WORKERS COMPENSATION SCHEME

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Partially Confidential

17 May 2012

The Hon. Robert Borsak, MLC
Joint Select Committee on the NSW Workers Compensation Scheme
Parliament House
Macquarie St
Sydney NSW 2000

Dear The Hon. Robert Borsak,

RE: Workers Compensation Scheme Issues Paper

I am writing in response to the Workers Compensation Scheme Issues Paper, published by Work Cover NSW.

I am the Clinical Services Manager for a NSW Accredited Workplace Rehabilitation Provider and am completely invested in achieving improvements in the performance of the NSW Workers Compensation Scheme. The company which I am employed is a member of the Australian Rehabilitation Providers Association NSW (ARPA NSW) and I support ARPA NSW's response to the issues paper.

I believe that the effective and timely use of rehabilitation providers can play a vital role in improving the performance of the scheme. Workplace rehabilitation providers are highly skilled Health Professionals who are trained in assessing psychosocial barriers to return to work in addition to having a thorough understanding of the human body and biological patterns of physical and psychological injuries.

International research has shown that psychosocial factors and other risk factors are far more important in predicting which employees, having been injured at work, will suffer delays or fail to recover or return to work following a workplace injury, than are the physical factors such as the nature of the injury^{1,2}. SANOS research has further confirmed these findings. SANOS research identified that claims which had experienced more than 12 weeks of incapacity were found to have more prevalent psychosocial risk factors, compared to claims of 4–12 weeks of incapacity. These factors were found to be even less prevalent for claims of one to four weeks of incapacity. The most dominant risk factors found were non-evidence based medical treatments, delayed rehabilitation efforts and unsupportive line management³.

¹ Psychology, Personal Injury and Rehabilitation, A Report of a Working Party of the International Underwriting Association of London and the Association of British Insurers, 2004.

² Guide to Assessing Psychosocial Yellow Flags in Acute Low Back Pain; Risk Factors for Long-Term Disability and Work Loss, Accident Compensation Commission, New Zealand, January 1997.

³ Body Stress Injuries, Key messages for Rehabilitation Providers PUB88 (Revised May 10); Comcare.gov.au

I am a strong believer that the best way to ensure a highly performing scheme for Work Cover NSW is to ensure appropriate and timely referral to rehabilitation, with the crucial time for referral being within twelve weeks following the date of injury for those individuals who have not returned to some work capacity. Rehabilitation Providers are trained in assessing and addressing the psychosocial factors which commonly lead to delays in return to work and long term disability. Evidence indicates that if adequate intervention is provided within this timeframe, return to work outcomes will improve; hence the risk of claims progressing to "the tail" category will be minimised.

Not only can Rehabilitation Providers address Psychosocial risk factors; when referring to seven reform principles⁴, I feel that workplace rehabilitation providers play a particularly vital role in principles three and seven:

Principle 3: Promote recovery and the health benefits of returning to work;

The role of a rehabilitation provider is to promote recovery through engagement in meaningful work and encourages 'therapy' to take place by means of return to work plans. Rehabilitation Providers are skills professionals who are trained in integrating work as therapy and promoting health outcomes by such means. A rehabilitation provider can also assist in the management of unsupportive line managers through mediation and providing education to all parties regarding the scheme.

Principle 7: Strongly discourage payments, treatments and services that do not contribute to recovery and return to work.

Rehabilitation Providers are health professional and therefore can assist and guide claims managers (who are frequently untrained in the area of health or similar field) on what is considered reasonable, evidence based and goal orientated treatment; with a strong focus on the workers independence and self management. Rehabilitation providers can support agents to make informed and outcome focused decisions.

I thank you for this opportunity to voice my opinion regarding this issues which I feel so passionately about. I am strongly enthusiastic and supportive of NSW Workers Compensation reform to ensure better health outcomes for injured workers and ensure a financially viable scheme. I urge you to seriously consider the best use of rehabilitation providers, through timely referral, to enhance the performance of our scheme.

Please do not hesitate to contact me if you wish to discuss this matter further.

Kind Regards,