

**FIRST REVIEW OF THE WORKERS COMPENSATION  
SCHEME**

**Name:** Name suppressed  
**Date received:** 25 August 2016

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Partially  
Confidential

Currently I am a 61 year old female, I was a teacher for 32 years and in a promotion position in teaching for 20 years of that time. I worked in disadvantaged schools for most of that time and suffered several injuries including assault over the years.

I injured my knee in 2001 and had arthroscopy that year. This was covered by Workers Compensation and I was deemed to have a Whole Body Impairment of 14% for my knee.

At the end of 2007, I tripped over a parking divider in the teacher's car park, broke my shoulder and re injured my knee. I had another arthroscopy in 2008 and continued working until 2009, when I could not negotiate the stairs at work and the pain was becoming unbearable. I was deemed 'unfit for work' by my specialist, an orthopaedic surgeon and have been ever since. As I had already had compensation for my knee in 2001, my WBI was reduced to 12% (6% for shoulder, 6% for knee).

I was advised to go to the gym to improve my muscle structure which I have been doing since 2009 in order to reduce pain and delay the inevitable knee replacement that I will have to have. There is a high chance that unless I put off the knee replacement as long as I can, I will need another one in my life time. The Insurance companies have declined to pay for the gym and I have always paid for it myself. The Insurance company does not pay for my medication as in the past, they have demanded I explain treatment I have never received, have sent me other people's documentation and claimed it is mine or have lost my receipts. As secondary injuries such as depression are not covered by Workers Compensation, I pay for the medications myself as I need to avoid the anxiety dealing with them creates. Apart from appointments with my doctors, X Rays and the operations, the Insurance company has paid for no treatment for me.

I have had 16 case managers since I became injured, Some have been reasonable and understand that I am in extreme pain much of the time, others have been purely motivated by the goal of getting me off Workers Compensation. I have had them twice try to deny my right to choose my own rehab provider, others have intimidated my doctors and tried to get them to change my medical certificate, they have pressurised me into having an operation and threatened me with comments such as 'You will do what we tell you to do or you will be cut off', they have made appointments for me without telling me about them, hoping I would not turn up. They have claimed that they tried to ring me and I was not there, even though I rarely go out and I am there. They have also threatened to cut me off on Christmas Eve when I could not reach the phone on time, sent me letters informing me of meetings with IMCs on another Christmas Eve and organised a case conference on my birthday (these may seem trivial but when you do not have much of a life, they are devastating). Most of the case managers have not read my files, are not aware of the medical reports, are disinterested in my health and continue to inform me that I have to go back to work, despite the fact that I have had no treatment and my X Rays show my injury going from moderately severe to severe. I have also not received copies of any of the Functional Assessments, Vocational Assessments, reports from IMCs or other professionals they have sent me to. In reality I have a medical WBI of over 26%, but I am being treated as if I have a minor injury and there is not much I can do about that, except to have another WBI assessment. My back is now also being affected by the way I walk and frequently I suffer a lot of pain when I am required to attend various assessments required by the Insurance company. When I was initially injured, I was sent to Independent Medical Doctors who were specialists in orthopaedics, now I am sent to Independent Medical Consultants who are GPs with training in rehabilitation and do not have the expertise to assess my injuries. They have argued with my specialist to change my medical certificate. I have been subjected to constant reviews, incorrect management plans which include things like 'I will walk in the park for 30 minutes a day', even though I cannot walk more than 100 metres as written on my medical certificate, frequent phone calls that repeat information sent in e mails and demands that my doctors change my medical certificate so that I can do vocational training or get back to work before my claim ends in December 2017 (this despite the fact that my court settlement included WC benefits until normal retirement before the amendments in 2012). I have never been informed by the Insurance company that I will still be covered for my operation after that date. Every piece of documentation I receive from the Insurance company is full of punitive threats and I have never refused to comply with what they require me to do. I dread any e mail, any letter or any phone call I get from them as it causes me enormous stress.

It may be too late for me to get any justice but surely as human beings, injured workers deserve to be treated with respect and empathy. To constantly feel as if you are an economic liability ( I have been told that MRIs cost too much, that I should pay for my own X Rays and then be reimbursed, no mention of how Medicare will be reimbursed from that one), that I have to go back to work as if the reason I am on WC is because I did not like work – I loved my job and was proud of what I did. I have found out the recommendations for me for a new job are – Teacher's Aid ( I was a Head Teacher and Teacher's Aid can be physically demanding), Supervisor of Marking (on your feet for 6 hours a day and my medical certificate restricts standing to 5 minutes) HSC Marking (two weeks per year) and

Tutor in my subject (no such job in NSW, they are combined with other subjects). Not that anyone will employ me at 61 with a disability and having never worked in any area besides teaching. I have not mentioned the name of the Insurance companies nor the names of the case managers as my story may be unique in some ways, but not in others. I just hope that if nothing else there could be an Independent body that could monitor individual cases to ensure that basic rights are respected and adhered to. There is currently very little accountability and that is not acceptable when the health of injured workers is involved. I could write a lot more about the system including the role of lawyers on both sides, the inequities of the legislation and the huge mental toll it takes on injured workers but I wanted to give a small insight into what I have experienced and I hope that someone reads this and understands what a terrible system it has become.