

INQUIRY INTO 2018 REVIEW OF THE DUST DISEASES SCHEME

Organisation: icare

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Standing Committee on Law and Justice 2018 review of the Dust Diseases Scheme

Context

Insurance & Care NSW (icare) administers the Dust Diseases Scheme, under the *Workers Compensation (Dust Diseases) Act 1942*. The Dust Diseases Scheme is a no-fault scheme for NSW workers who have developed a dust disease from occupational exposure to hazardous dust.

The Scheme provides compensation benefits to workers with an occupational dust disease and their dependents. Workers under the Scheme also have access to medical, healthcare and related support services such as domestic assistance, mobility aids and equipment, and home modifications.

icare is committed to improving customer service and building a simpler, more transparent and supported insurance and care experience. We are a social insurer whose purpose is creating a positive impact for customers and the NSW community through a 'commercial mind, social heart' ethos and the simplification of insurance for injured people and employers.

Submission

The Dust Diseases Care Scheme is focused on providing ongoing assistance to support workers' and their dependents' quality of life, with operating costs funded by an employer levy on workers compensation insurance premiums. Working closely with past and present workers with dust diseases and their families, icare provides timely access to information, personalised care and comprehensive support. icare also funds research, information and education about dust diseases and ongoing assistance to workers and their families. Medical lung screening and health monitoring services are also provided to individual workers and employers to facilitate early detection of occupational hazardous dust exposure

Service Enhancements and Outcomes

icare has continued to enhance its services to support workers with dust diseases and their families to improve their wellbeing and quality of life. We recognise that workers' needs will change over time and are ensuring that appropriate services are being provided at the right time.

Our service enhancements and improvements have primarily targeted the following outcomes:

- Reduced timeframes for determination of claims
- More timely access to care and support services
- More choice and convenience for workers in accessing medical screening services to facilitate quicker diagnosis
- More care and support options for empowered and independent living
- Additional support for NSW employers to help meet their work, health and safety obligations in respect of protecting their workers at risk of occupational dust diseases due to exposure to hazardous dusts in the workplace
- Facilitated access to peer support services for workers with dust diseases and their families

Reduced timeframes for the determination of claims

Since the creation of icare, the average timeframe to complete Dust Diseases Care applications and determine claims has been significantly reduced:

- for workers, from 136.7 days prior to September 2015 to 42 days as at 30 June 2018
- for dependents, from 71 days prior to September 2015 to 26 days as at 30 June 2018

The reduction in determination timeframes has been achieved through the combination of the various changes, initiatives and enhancements described below.

Access to Medical Screening Examinations for Dust Diseases

Medical screening examinations are provided free of charge for any NSW worker who believes they are at risk from past exposures to hazardous dusts, such as asbestos and silica, in previous employments in NSW. Medical screening facilitates the diagnosis of an occupational dust disease as well as identifying any deterioration in the medical condition and disability of a worker who has a dust disease.

Since March 2016, icare has offered workers a choice of service provider for their medical screening examinations. Workers can choose to attend a medical examination at the icare clinic located in the Sydney CBD, via the icare Lung Screen mobile respiratory unit staffed by qualified medical professionals visiting workplaces and communities across regional NSW, through their regular treating respiratory physician, or through a recommended locally based provider.

The clinic's screening service involves an end-to-end experience comprising of an x-ray, full lung function test, and a medical examination with a medical specialist. Workers screened at the icare clinic can have an appointment made within two weeks and icare can facilitate diagnosis and medical certification, typically allowing for the determination of their claim within 10 to 30 days. This compares to between 30 to 180 days when completed by external providers. Currently, approximately half of icare's customers choose to receive screening services through the CBD clinic.

On average, icare covers between 1,250 and 1,400 individual worker medical examinations each year. icare's clinic and mobile screening unit have been the dominant choice for our compensation applicants and workers with approximately 60 per cent electing to access their medical examinations through these facilities. Feedback confirms our customers place significant trust and confidence in the level of service and quality of medical facilities provided.

Home Lung Function Testing

Since December 2016, icare has been providing Home Lung Function testing to workers who are unable to leave their home and travel to medical screening appointments due to their ill health, age or immobility. As at 30 June 2018, 46 home visits have been conducted, whereby two new cases of a compensable dust disease have since been identified, and seven people assessed with an increased level of disability are now accessing additional benefits.

Health Monitoring Service for Employers

icare's Lung Bus health monitoring mobile screening service, which prior to icare was historically only available to large employers in NSW, is now available to small and medium employers in NSW with workers at risk of occupational dust exposures in the workplace. icare proactively contacts these employers in regional locations when the Lung Bus is visiting their specific area to offer the respiratory screening service. This service supports NSW employers to comply with their responsibilities under the *Work, Health and Safety Act 2011* to provide health monitoring for workers exposed to hazardous dust, such as silica and asbestos, in the workplace.

The service is provided at a subsidised rate to encourage proactive screening by employers and has been designed to minimise lost time and productivity for both employers and workers by taking the end to end screening service to the workplace. Employers can also elect to have their workers screened at the icare clinic or through local service providers.

Since 1 September 2015 the Lung Bus has:

- Hosted 351 screening days
- Serviced 119 different employers across NSW
- Provided 10,294 health monitoring examinations of NSW workers
- Identified 44 potential dust related abnormalities during health monitoring examinations
- Provided 524 screening examinations in regional locations for individual Scheme compensation clients

In 2017/18 the Lung Bus provided respiratory health monitoring examinations to 3,661 workers at 71 locations across NSW including Bega, Marulan, Marulan South, Dubbo, Broken Hill, Temora and Mudgee. A further 435 workers accessed health monitoring examinations at the icare clinic. icare also facilitated 97 health monitoring examinations for workers through local service providers.

Upgrade of the icare Dust Diseases Care clinic

The Dust Diseases Care clinic has provided a “one stop shop” lung screening service for its customers for over 30 years. The clinic was recently relocated which provided an opportunity to enhance and increase service offerings directly to customers through a more accessible, ground floor shop front location.

The new clinic opened on 14 August 2018 and has been designed based on customer feedback about their experience, mobility requirements and needs for a private and personal environment, given the nature of their medical diagnoses and the personal sensitivity of consultations they have with clinic staff. It is wheelchair friendly throughout the site and the furniture design specifically caters for the limited physical capabilities of customers visiting the icare centre. There is easy access by public transport and close proximity to accessible car parking. A new meeting space has also been created for community groups to use free of charge for peer support services, as well as several private consultation rooms for customers and their families who need sensitive peer support, counselling or grief support.

The upgraded icare clinic provides a “one stop shop” for workers undergoing a respiratory assessment. It is now equipped with the latest state of the art medical equipment where they can have their chest x-rays, lung function tests and be reviewed by a medical specialist with experience in dust diseases. The end to end lung screening service offered by icare’s clinic has also been expanded to now incorporate a 20 metre “walk test” screening facility, further providing dust disease sufferers with a more convenient “one stop shop” experience that facilitates more timely diagnoses and determination of claims.

As part of the eligibility assessment for a Dust Diseases claim, workers need to provide their occupational history. The new meeting rooms at the clinic offer an immediate and private space to obtain this history and meet their dedicated Client Liaison Officer, their primary point of contact who will provide support during their application process and assist with any future ongoing needs following determination of their claim.

The additional spaces available in the new premises provide the opportunity to extend the clinic’s service capacity to run multiple screenings in parallel based on demand.

In addition to the mobile Lung Bus screening unit, this creates additional capacity for icare to help employers located in the Sydney metropolitan area to meet their work, health and safety obligations in respect of health screening of their workers who are exposed to hazardous dusts such as asbestos and respirable crystalline silica. Further, the new clinic's extended capability will result in increased capacity for an additional 40 workers being screened each week.

Streamlined assessment and application process

icare has reviewed and streamlined the assessment process for workers and their families claiming compensation for a work-related dust disease. This included a simplification of the application form and the ability to make applications online or take applications over the phone. Previously, applications were only accepted in hard copy format.

icare has introduced an electronic form allowing applicants, or persons acting on their behalf, to apply for a medical examination or compensation via the icare website, 24-hours a day, seven days a week. icare has streamlined the Dust Diseases Care Scheme application form by reducing it from 14 to just two pages and is now developing an online portal to further enable a simplified and more timely application process through digital channels. This digital capability will be implemented and available to applicants in 2019.

Additionally, icare has implemented a triage procedure where urgent malignant cases, such as mesothelioma or lung cancer, are identified and prioritised for action. Urgent malignant cases are now being fast-tracked for determination within one to three weeks.

Establishment of Client Liaison Team

To enhance communication and access to information for workers and their families, icare established a single point of contact for clients via its Client Liaison Team who provide advice and guidance to clients in navigating the Scheme. Previously, workers and their dependents would be handed over to different functional teams as they progressed through various stages of the application and claims process. This created some confusion and disjointed experiences for clients. The new Client Liaison Team continues to support workers and dependents from the beginning to end of their contact with icare.

The Client Liaison Team assists newly diagnosed workers and their dependants by proactively providing crucial information about the Scheme and taking applications over the phone, helping to reduce the time it takes to determine their claims. Implementation of the Client Liaison Team has improved communication between icare and our customers, ensuring a better understanding of the Scheme and its entitlements, and how to access care and support services, at what can often be a challenging and emotional time.

Since November 2017, the Client Liaison Team has doubled in size and has resulted in:

- 75 per cent of services being approved in one step
- 30 per cent of all care and support services being pre-approved
- 45 per cent of non-pre-approved services are now pre-approved at first contact via the Client Liaison Officer
- A significant improvement in customer satisfaction whereby the Net Promoter Scores (NPS) received from new customers (up to one year in the Scheme) is significantly higher at +69 when compared to previously new customers surveyed prior to the implementation of the Client Liaison Function at +37.

New Contact Centre

To further improve customer communication, access to information and the way we interact with workers, their families and any other callers to the Dust Disease Care Team, icare will soon implement a new Contact Centre function, linked to a Customer Relationship Management System that focuses on resolving 80 per cent of calls on first contact. The new function will commence roll out before the end of 2018 and is expected to be fully functional in 2019.

By introducing operational efficiencies, improved technology and highly skilled and knowledgeable people, enhanced capability will be created to effectively triage calls to either be resolved on first contact or to be escalated to the right area of expertise the first time. The service proposition for the new Contact Centre strategy is to provide a consistent experience with a same-day response to workers and their families where possible. The Contact Centre will also be equipped with a new telephony technology which captures more detailed data on call patterns and trends, providing the operation with insights to enable better communication, informed decision making and continuous improvement of call handling functions.

My Plan Pilot

To provide clients with more certainty, choice and greater control of their care, icare implemented the *My Plan* pilot, an individualised planning tool for workers with a diagnosed dust disease. *My Plan* aims to provide people with more independence in identifying their goals and support needs, and ensure their preferences and requirements are a priority. The *My Plan* tool helps people plan for the things they want to do and achieve and includes a 'My Affairs' option to identify and help plan for specific end-of-life needs of workers with a malignant dust disease. *My Plan* will be progressively rolled out and available to all scheme workers in the 2018-19 financial year.

Expansion of Pre-Approved and Fast-Track Services

In October 2016, icare launched a pre-approved healthcare service package for workers with 100 per cent disability to create more certainty and speed up access to necessary care services and mobility aids and equipment. Under this package these workers now receive an up-front comprehensive assessment by either a registered nurse or occupational therapist to determine their ongoing needs for the management and treatment of their dust disease, without the need to first obtain a certification from their treating doctor for each service request.

Now, similar types of service offerings are progressively being made available to workers with 10 per cent or more disability, through pre-approved packages subject to the recommendations from an occupational therapist assessment.

Previously, workers were required to first obtain a certification and recommendation from their treating doctor for each service request made, placing an unnecessary burden on many workers who experience permanent breathing difficulties and mobility issues arising from their dust disease. The new pre-approved packages have reduced the time taken to access much needed healthcare and related services.

icare has also fast-tracked the processing of funeral benefits, providing the full payment of the statutory maximum entitlement of \$9,000 for funeral costs for families of a deceased worker within 24 hours upon notification of the worker's death. This has significantly reduced the average timeframe for grieving families accessing this benefit from about two to three weeks, to now 0.7 of a day.

Options for Empowered and Independent Living

icare established the Empowered Living Program in 2017. The aim of the program is for our severely injured or ill participants and workers to have an awareness of, and access to assistive technology (AT) solutions to empower them with greater independence to enhance their overall quality of life. To achieve this aim, icare conducted customer research and engaged specialist providers to conduct market scans to identify AT solutions that can address common participant and worker problems.

In 2018, through this program, icare introduced the routine prescribing of portable oxygen concentrators for customers with oxygen needs. These devices are lighter in weight, have a longer usage than standard oxygen cylinders and can enable greater mobility and community participation for our clients.

A new leaflet describing the benefits of portable oxygen concentrators and a revised oxygen prescription form for medical practitioners have been developed to promote the availability of these devices. Since being introduced in January 2018, 71 dust disease clients have been provided with a portable oxygen concentrator compared to only 20 clients prior to that date.

icare is also exploring solutions such as apps and wearable devices that can help customers, their carers and physicians monitor and manage their health conditions by measuring and tracking vitals and providing alerts and remote monitoring capabilities.

Enhanced Care service delivery model

icare has developed a new service delivery model for the most severely injured and ill participants of the Dust Diseases Care and Lifetime Care schemes and the Workers Care program. The new service delivery model recognises individual experiences can vary depending on the attributes of the individual customer, overlays impacting on their overall status and well-being, and triggers that pop up suddenly influencing their immediate circumstances and journey of living with their injury or illness.

The enhancements to our service delivery model will validate which attributes, overlays and triggers (e.g. life events) have the greatest impact on our workers and dependents, and draw out best practices from our knowledge, experience and evidence-based research. The model will:

- identify the most effective service pathways for our workers and dependents underpinned by best practices;
- increase service experience consistency across frequent situations, while readily enabling tailored services for individual needs and specific situations;
- capture and disseminate best practices to enhance decision making and service experience; and
- identify high-risk client situations early and define a recommended approach to manage.

icare is also improving technological platforms to support the delivery of the new service delivery model. Work has commenced on the development of customer relationship management platform to be implemented in early 2019. Stage one of this project covers the dust diseases 'onboarding' process designed to enable multi-channel digital application and eligibility assessment capability for workers dependents, and their representatives, and access to health monitoring for employers and their workers. This is underpinned by an end to end workflow management solution with more automated and real time processing capability, that will reduce time to decision, maintain higher quality data and store all case communications and documentation in a more readily accessible digital format. Work on stage two will commence in 2019 and will be focused on the development of the claims management system.

Access to Peer Support Services

icare recognises the importance of dust disease sufferers and their families being able to talk to someone who has lived or is living their current experience. To facilitate access to such services, icare provides funding and referrals to community and not-for-profit support organisations who provide peer-to-peer support services and similar community assistance referrals for people with dust diseases and their families.

Referral pathways were implemented in 2018 as part of the application and case management process with information about peer to peer support services and organisations providing such services being made available to workers and their families.

In 2019, icare will be looking to extend peer support by establishing partnerships with Carers NSW to provide peer support to non-paid carers of workers with dust diseases, and the Cancer Council of NSW for support for workers with malignant dust diseases.

Safeguarding Framework

icare has developed a Safeguarding Framework to effectively manage risk and ensure the safety of severely injured and ill participants under its schemes. This work recognises that some participants may be vulnerable to abuse, harm or neglect, and due to their injuries and illnesses, may be unable to protect or empower themselves.

The aim of the Safeguarding Framework is to keep participants and workers safe in their home environment, to strengthen existing safeguards and supports, and maximise independence through a range of initiatives that aim to promote choice and control. The Safeguarding Framework reviews icare's internal structures and systems and external supports that focus on quality, safety and prevention.

The Service Provider Quality Assurance Framework, implemented in April 2018, outlines a risk-based approach for the relationships with different service provider groups, including approved providers. The framework provides guidance on managing performance and issues; and outlines the governance activities implemented by staff. icare is currently engaged in further developing our audit and governance program of service providers to ensure robust measures and systems are in place and to provide greater assurance over the quality of service provision.

Supporting Dust Diseases Research and Not for Profit Organisations

icare administers three grants programs to help deliver a range of positive outcomes to workers affected by dust diseases and their families. The Dust Diseases Care Research Grants program provides funding for discovery, translational research and clinical infrastructure support into the causes, diagnosis, treatment and prevention of dust diseases, to reduce the risk of people developing a dust disease and optimise health and care outcomes. Current grants under the program have been awarded to nine research projects being undertaken across Australia. The projects funded in 2017/18 were primarily focused on researching treatments for asbestos related diseases such as mesothelioma.

The Scholarship and Fellowship Grants program complements the Research Grants program in building research capacity and capability nationally. The first two fellowships under this program were awarded in May 2018 for research on the treatment of mesothelioma and silicosis.

The Support Organisation Grants program offers funding to charity groups and not-for-profit organisations that provide support to people with a dust disease and their families. There are three support groups currently receiving grants under this program.

Response to the incidence of Occupational Silicosis

The Law and Justice Committee, in its *First review of the Dust Diseases Care Scheme*, commented that an increasing incidence of silicosis disease associated with occupational exposure to crystalline silica in NSW is evidence of a significant failure in the work health safety regime. The first recommendation in the Committee's report was that the relevant Minister urgently convene a taskforce of industry, regulatory and workforce representatives to review safety standards in the manufactured stone industry and consider regulatory changes necessary to protect workers in the industry.

A taskforce has been established by the lead agency, SafeWork NSW, and icare is currently participating in this review.

icare is partnering with SafeWork NSW to assist with its *Roadmap 2022* program which includes visits to about 9,000 businesses in NSW over the next five years to reduce worker risks and eliminate injuries and silicosis disease associated with exposure to respirable crystalline silica. icare's role is to provide occupational health screening services to those businesses identified by SafeWork NSW whose workers are most at risk.

As part of this partnership, icare provides occupational health screening free of charge to small businesses with less than 30 employees who are issued improvement notices from SafeWork NSW following their workplace visits, for their first round of screening as a kick-start to routine screening of their workers. A further 50 per cent subsidy is being applied for those businesses with over 30 employees who are issued notices from SafeWork NSW, reducing the subsidised cost of screening from \$100 to \$50 per worker plus GST for their first round of screening. Since commencement in May 2018, 35 free health monitoring assessments have been provided for six small employers.

icare is also collaborating with the Australian Tunnelling Society to improve education around working safely with crystalline silica and has also provided health monitoring services to employers in the industry. In 2018, icare provided 1,043 health monitoring assessment to eight employers in both the tunnelling and construction industry in NSW that are working with silica.

A detailed report on progress with implementation of the Recommendations from the Committee's *First review of the Dust Diseases Care Scheme* is provided at [Annexure A](#).

Collaboration with Asbestos Coordination Authorities

icare is also actively collaborating with key stakeholders as a member of the Heads of Asbestos Coordination Authorities (HACA), working to improve the management, monitoring and response to asbestos issues in NSW by developing coordinated asbestos related prevention and management programs in NSW under the State-Wide Asbestos Plan.

Feedback from our customers

icare has implemented a Net Promotor Score (NPS) system to actively gauge customer satisfaction in terms of how well the organisation is delivering services and meeting the needs of its customers. The NPS is a customer service tool that helps capture feedback on a customer's experience via a quick survey.

NPS has been rolled out for existing and new Dust Diseases Care Scheme clients including workers and their dependents, service providers, and those employers and workers who have accessed the Lung Screen mobile respiratory health monitoring service. icare customers are issued with a survey at least once a year and as many as four times a year. Participation in the survey is voluntary and customers can elect to opt out of the survey process at any time. Customers have a choice of completing the survey via email or telephone interview.

icare proactively follows up low scoring NPS respondents who choose to be contacted, to ensure the timely response and resolution of any issues identified by the respondent through the survey.

Results as at 30 June 2018 for Dust Diseases Care were:

- Overall NPS Score: +65
- Workers: +53
- Surviving dependants: +69
- Respiratory health monitoring: +71

Conclusion

icare has made significant improvements in the operation of the Dust Diseases Care Scheme and is continuing to implement a range of service enhancements to make things easier and better for Scheme participants, and just as importantly, providing transparency and accountability in our operations. icare is very aware that caring for the State's injured and vulnerable is not a 'one-size' fits all approach and that every customer is unique.

icare is actively working to improve the services to, and quality of life of, workers and dependents, by ensuring workers diagnosed with a dust disease and their families receive timely care and support that they need throughout their experience with icare. icare's aspiration is to create the best possible outcome for every person and organisation it serves, delivered through a fair, respectful and empathetic experience that is focused on the person, not the process.

icare thanks the Committee for the opportunity to provide a submission to its *2018 review of the Dust Diseases Scheme*. We look forward to the recommendations from the Committee and to working with the Committee and the Ministers for Finance, Services and Property, and Innovation and Better Regulation, and their agencies in improving workplace safety and the experience of all scheme participants and icare customers.

ANNEXURE A

Recommendations from the First Review of The Dust Diseases Scheme

Recommendation	Status	Progress
1. That the relevant Minister urgently convene a taskforce of industry, regulatory and workforce representatives to review safety standards in the manufactured stone industry and consider regulatory changes necessary to protect workers in the industry.	Progressing	<p>icare has partnered with SafeWork NSW as the lead agency, to assist with its <i>Roadmap 2022</i> project, a five-year hazardous chemicals strategy with a top priority to protect workers against exposure to crystalline silica.</p> <p>icare's support will include:</p> <ul style="list-style-type: none">• subsidised occupational health screening services to those businesses identified by SafeWork NSW whose workers are most at risk;• collaboration in developing a NSW register for occupational lung disease;• working with Safe Work Australia to adopt international best practice workplace Exposure Standards for Crystalline Silica. <p>icare is continuing to explore other opportunities for collaboration with SafeWork NSW and other key industry players, in respect of occupational exposure to crystalline silica and related dust diseases.</p>
2. That icare consult with stakeholders to examine the feasibility of establishing a national dust diseases data collection system.	Completed	<p>SIRA, as the regulator, has agreed to take the lead on this initiative and icare is to provide support as required.</p> <p>To date, SIRA has held preliminary discussions with relevant stakeholders from Commonwealth and state/territory jurisdiction level, about the feasibility of establishing a national dust diseases data collection system.</p>
3. That Dust Diseases Care ensure that its fact sheets and brochures emphasise the importance of lodging a Dust Diseases scheme application quickly, and explain the nexus between receipt of application and payment of benefits.	Completed	<p>icare has updated its application forms, factsheets and website content to include a statement about the importance of making a dust diseases application as soon as possible, to facilitate early and timely access to support.</p> <p>icare has streamlined the Dust Diseases Scheme application form, reducing it to two pages, and introduced a phone-based application process to alleviate the administrative burden, complexity and improve timeframes for the determination of claims for applicants.</p>

		A new Customer Liaison Team has also been established to improve communication and provide a single point of contact for workers and dependents to help them navigate the Scheme, assist in completing applications and access information and benefits.
4. That icare expedite the development of an online application process for the Dust Diseases scheme that provides 24-hour electronic lodgement and receipt, similar to that provided by the Dust Diseases Tribunal.	Progressing	icare has introduced an electronic form allowing applicants or persons acting on their behalf, to apply for a medical examination or compensation via the website 24-hours a day, seven days a week. icare is also working towards the development of an online portal to further enhance services.
5. That the NSW Government consider establishing a statutory internal appeals panel to provide an affordable and independent avenue to review decisions about Dust Diseases scheme eligibility.	Delayed	<p>icare understands that the establishment of statutory internal appeals panel will require a legislative amendment. Disputes regarding scheme eligibility are currently considered through the District Court and annual volumes are low. Monitoring is required over time to understand if there are any drivers of these low volumes, and if so what they are.</p> <p>Internal review mechanisms currently exist for the Medical Assessment Panel, which itself is independently appointed through nominations from employer and worker representative groups, to reconsider eligibility decisions relating to medical certification of dust disease and disability level.</p>