

# Changes to Tasmania's workers compensation laws: 1 January 2018

## Information for workplace rehabilitation providers and injury management co-ordinators

### Introduction

Tasmania's *Workers Rehabilitation and Compensation Act 1988* was recently reviewed and amended, to remove excessive 'red tape' associated with the state's workers rehabilitation and compensation scheme.

The Workers Rehabilitation and Compensation Amendment Bill 2016 was passed by Parliament on 16 October 2017 and changes will come into effect on 1 January 2018.

The websites of WorkSafe Tasmania and the WorkCover Tasmania Board will be updated to reflect these amendments and any consequent processes or procedures that are affected.

### Summary of changes

If you are:

- a workplace rehabilitation provider accredited by the Board
- an injury management co-ordinator who has completed the modules of training approved by the Board

You may find the following summary of the amendments useful.

You can find the full list of amendments in WorkSafe's fact sheet 'Changes to Tasmania's Workers Compensation Laws: 1 January 2018 – Summary of all amendments' at [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au).

You can find a copy of the amended Act at [www.legislation.tas.gov.au](http://www.legislation.tas.gov.au).

### Accreditation

- Workplace rehabilitation providers currently accredited by the Board will no longer be required to submit a renewal application (as previously required). If you are accredited by the Board when the amendments take effect, you will remain accredited unless you surrender it, or the Board revokes or suspends it. Providers are still required to complete and submit annual self-evaluation reports.
- Workplace rehabilitation providers are no longer required to be accredited by the Board if they are only providing 'advice in relation to job seeking' or 'advice or assistance in arranging vocational training'.
- 'Advice in relation to job seeking' and 'advice or assistance in arranging vocational training' have been included in the definition of 'rehabilitation services' (although they are not a prescribed service).
- The Board may accredit an organisation or a natural person.

## **Medical practitioners/workers compensation medical certificates**

- Medical practitioners are no longer required to be accredited by the Board to issue workers compensation medical certificates.
- Medical practitioners who wish to assess the degree of a worker's whole person impairment must still be accredited by the Board.
- A definition of 'medical practitioner' has been included. 'Medical practitioner' means someone registered under the Health Practitioner Regulation National Law in the medical profession; or someone authorised under another country's laws to carry out the functions that, if carried out in Australia, would be required to be registered under the Health Practitioner Regulation National Law.
- Workers compensation medical certificates must not be provided for more than 28 days (previously 14 days) of total incapacity, unless the medical practitioner states a reason on the certificate and sets a date for reviewing the certification.
- The term 'medical assessor' has been replaced with 'accredited medical practitioner'.
- Medical practitioners are no longer required to be accredited to issue certificates about the extent of a workers recovery.

## **Return to work and injury management**

- Employers are no longer required to develop and implement return to work and injury management plans within prescribed time frames. Time frames for plans will need to be specified in injury management programs. An injury management program is a program approved by the Board which outlines the method an insurer will apply to manage claims.
- Employers are required to appoint a return to work co-ordinator if they employ more than 100 workers (the previous requirement was 50 workers).

## **General**

- Current age restrictions have been removed and replaced with a link to the Social Securities Act 1991. This will ensure there is no gap between when a person's entitlement to weekly compensation payments stops and when any entitlement to the Age Pension may begin. This amendment will apply to workers whether their injury occurred before or after the start of the amendments.
- Employers are no longer required to serve workers with a written notice of their right to make a claim. However, the worker must still be informed, within 14 days after being notified of an injury, of their right to make a claim. This notice must be in the prescribed form as previously required. To find this form, go to [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au) and search for 'GF172'.
- Employers are no longer required to display in their workplace a summary of the Act or details of their workers compensation insurer.
- The list of diseases for which there is presumptive cause has been removed. The Board intends to approve a new list of deemed diseases for which there is a presumption of cause.
- If you have any queries or want to know more about how an amendment will affect you, please call our Helpline on 1300 366 322.