



Minutes

Meeting Location:

Minter Ellison
Waterfront Place, 1 Eagle St, Brisbane

Meeting: ASIEQ Forum Meeting

Date: Wed 11 February 2015

Time: 8:00am

Attendees:

- Trish Testa - ACES
- Ashlyn Dyer - Advanced Personnel Management
- Cameron Urquhart - Arrium Limited
- Thanh Tran - Aurizon
- Maree Hannay - BHP Billiton
- Peter Irving - Brisbane City Council
- Saija Saunders - Brisbane City Council
- Kathryn Scott - Citiscan
- Sophia Herd - Community Business Australia
- Mairin Longmore - Community Business Australia
- Tania Perina - CSR Limited
- Victoria Barham - Echo Entertainment
- Cass Wild - Employers Mutual
- Dell Gavin - Glencore
- Bill Nevin - Glencore
- Joey Carmichael - Gold Coast City Council
- Louise Cook - Gold Coast City Council
- Stephen Woolger - Gold Coast City Council
- Naomi Wyatt - Gold Coast City Council
- Caitlin Lee - Guardian Exercise
- Natasha Jacobsen - Inghams
- Bronwyn Chilcott - Inghams
- Suzi D'Andrea - Injury Treatment
- Laura Eyles - Injury Treatment
- Tamlyn Faulkner - IPAR
- Neil Hensley - IPAR
- David Gomulka - JBS Australia
- Dean Campbell - JLTA
- David Swan - Local Government Association Queensland

Attendees:

- Darryn Midson - Medilaw
- Lauren Wright - Medilaw
- Jennifer Vaiga - Minter Ellison
- Rhianna Muir - MLCOA
- Vanessa Daniel - MLRSA
- Michelle Berris - Myer
- Denise McNamara - Myer
- Russell Schott - Primary Healthcare Limited
- June Watson - Queensland Rail
- Linda McCullough - Red Health
- Peter Davis - Redland City Council
- Mark Hopsick - Rio Tinto
- Stephen James - RSL Care
- John Dacey - Teys Australia Meat Group
- Justin Crowley - Toll Holdings
- Debbie Duncan - Toll Holdings
- Rod Knights - University of Queensland
- Elizabeth Seymour-Smith - WC Regulator
- Sasha O'Neill - WC Regulator
- Nicole O'Connor - WC Regulator
- Charlene Lovell - WC Regulator
- Louise Martin - WC Regulator
- Gavin Clark - WC Regulator
- Karen Wilson - WCD Workers Compensation Solutions
- Tony Cacciola - Willis



Apologies:

- Trish Bassett - ACES
- Therese Mulherin - Advanced Personal Management
- Natalie Poulsen - ANZ
- Cindy Pouloudis - Aurizon
- Janelle Diehm - Aurizon
- Amanda Raines - Aurizon
- Andrew Murrell - BHP Billiton
- Kelly Tucker - Brisbane City Council
- Scott Lewis - CSR Limited
- Juliet Maynard - CSR Limited
- Lee Quinn - Glencore
- Danae Coles - Gold Coast City Council
- Julie Fox - IPAR
- Georgia Gowen - Medilaw
- Samantha Norton - MLCOA
- Christine Litzow - Qantas

Apologies:

- Michelle Jones - Queensland Rail
- Vanessa Herrmann - Red Health
- Dale Ristovski - Red Health
- Grace Singh - The Suncorp Group
- Kim Patrick - Toll Group
- Tina James - Townsville City Council
- Christine Judge - Townsville City Council
- Karla Craperi - Townsville City Council
- Kris Fraser - University of Queensland
- Clodagh McCowen - Wesfarmers
- Lesley Dame - Wesfarmers
- Sue Richardson - Westpac
- Lisa Steel - Wilmar

Guests:

- Scott Coleman - Aon Hewitt
- David Norris - Medilaw
- John McDiarmid - WC Regulator
- Matt Cross - WorkCover Queensland
- Kristine Gatt - WCD Workers' Compensation Solutions

Minutes Secretary: Mairin Longmore (CBA)
Sophia Herd (CBA)

Item No	Agenda Item	Action
1.	Attendance/Apologies No apologies from floor	Carried
2.	Previous executive minutes and actions Amendments to previous forum minutes received from Justin Crowley Minutes moved by Justin Crowley seconded by Trinity McKenzie	Carried
3.	Correspondence Log A few items to be discussed today	
4.	Financial Report presented by Treasurer Rod Knights Financial report presented by Treasurer Rod Knights. Financials moved by Rod Knights, seconded by Peter Irving.	



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	<p><u>ASIEQ Account at 31.12.14:</u></p> <table border="0"> <tr> <td>Account balance as at 1 November 2014</td> <td style="text-align: right;">\$ 121 913</td> </tr> <tr> <td>Total deposits since</td> <td style="text-align: right;">\$ 68 126</td> </tr> <tr> <td>Total outgoings</td> <td style="text-align: right;">\$ 18 338</td> </tr> <tr> <td colspan="2"><hr/></td> </tr> <tr> <td>Closing balance as at 31 December 2014</td> <td style="text-align: right;">\$171 701</td> </tr> </table> <p><u>Conference:</u></p> <table border="0"> <tr> <td>Total Income</td> <td style="text-align: right;">\$ 88 879</td> </tr> <tr> <td>Expenses</td> <td style="text-align: right;">\$ 34 412</td> </tr> </table> <ul style="list-style-type: none"> - Large portion of current income due to conference - Healthy financial position <p><i>Discussion from floor</i></p> <p>David Gomulka: Any more progress on the investment issue? Putting aside the money into an investment interest bearing account?</p> <p>Rod Knights: Yes. In an investment, currently redeeming approx 2.2%. Was initially at negotiated rate of 2.4% but rates have gone down</p> <p>DG: A fair portion of the account?</p> <p>RK: Not the whole lot but we have got an activity account that we are using for conference and things like that, but the rest is trapped in an interest bearing account.</p> <p>Justin Crowley: Approximately \$100 000 in interest bearing account. Following the conference going to look at the higher interest rate and probably seek banking advice as to where to invest.</p>	Account balance as at 1 November 2014	\$ 121 913	Total deposits since	\$ 68 126	Total outgoings	\$ 18 338	<hr/>		Closing balance as at 31 December 2014	\$171 701	Total Income	\$ 88 879	Expenses	\$ 34 412	Carried
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5.	<p>Chairs Report presented by Justin Crowley</p> <p>Membership</p> <p>New applications for Associate Memberships:</p> <p>eReports:</p> <p>Healthrise</p> <p>Axis rehabilitation</p> <p>A number of associate members coming through. Thanks to Peter for marketing for both the conference and ASIEQ as an association.</p>															



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	<p>WC Regulator Meeting:</p> <ul style="list-style-type: none">- Issue of recoveries from fraud was not covered in depth at Fraud Referral and Prosecution Forum 29.10.14.- It has been discovered that collection of monies from successful fraud prosecutions have been paid into SPERS who have paid funds to either WCQ or Q-COMP, where the repayments were due to self insurers.- WCQ have not to date reconciled the payments.- If you have had a successful Fraud prosecution through Q-COMP and have not received any recovery you may need to contact the Regulator- There is confusion as to where the money has gone and why it has not been reconciled- Contact at WC Regulator is Rhett Moxham- Saija Saunders: Rhett Moxham is doing up a procedure for future outstanding fraud payments <p><i>Discussion from floor</i></p> <p>Issue raised of an apparent backlog in action of Fraud referrals by the Regulator. David Gomulka raised that they had referred a matter 2 months previously and were advised to flag if it was urgent as otherwise it would wait in line.</p> <p>Actuarial meeting 03.12.14:</p> <ul style="list-style-type: none">- At Finity Offices in Sydney- Number of self-insurers and actuaries attended- Received good/worthwhile feedback- One face to face meeting, probably at Finity (May/June) and one teleconference (Oct/Nov) <p><i>Discussion from floor</i></p> <p>Member sought clarification of the discussion at the meeting. Chair did not attend in person but understood they discussed PWC and their projection of data and the common law threshold and views were given by actuaries about ways in which the evaluation should be done because of common law threshold. Was a chance to give actuaries not based in QLD exposure to the Regulator and how their Actuaries Finity/PWC are valuing the Qld Scheme.</p> <p>Conference</p> <ul style="list-style-type: none">- Regulator to put advert in eSafe magazine. Magazine distributed to approx. 30,000 subscribers. <p>Online Services</p> <ul style="list-style-type: none">- Update given by John McDiarmid on the continuing rollout of e-lodgement of Reviews and Appeals via online services	



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	<p>Q-COMP Annual Report</p> <ul style="list-style-type: none">- Absorbed into department financial reporting- In the interests of transparency a request has been made as to where details of the levy collected and how utilized has been made to the Regulator. <p>Health benefits for Work Signatory Steering Group</p> <p>Update from Thanh Tran</p> <ul style="list-style-type: none">- First meeting in Sydney 29.01.15- Other successful groups involved: Interact group, Work Cover QLD, WCD, Exchanging, IPAR, Comcare, Employers Mutual, the Financial Services Council, NSW Queens Association, Suncorp- Introductory meeting for signatories. Discussed what it means to be a part of the group and the goals, outcomes and key priorities for the year- 10 different key priority areas that are going to be distributed to each member groups to focus on- Priority areas included expanding signatory base, developing ways to increase base and developing tools and resources for various business groups such as ways to establish business case to support the health benefits of work and measures to promote it.- Also discussed lobbying various regulators in terms of facilitating change in the way they did things e.g. more positive language being used in compensations scheme in terms of return to work, whether it should be more about recovery of work and developing further consistency amongst the states.- TT to forward minutes from meeting to CBA once received and minutes to be distributed to members <p>NIIS</p> <ul style="list-style-type: none">- Discussions still underway with regulator- Supposed Commonwealth RIS on workplace accidents been released by PWC- Regulator stated probability of MAIC taking on central management of cohort of workplace injuries on a fee for service basis.- The liability of individual claim in terms of payments rests with individual insurer.- No special provisioning required- Own responsibility to consult with Actuaries and/or Re-Insurers- Commencement 1 July 2016	<p>TT to forward meeting minutes to CBA</p>



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	<p>Comcare license 8 year periods</p> <ul style="list-style-type: none">- Media release 5 January on prospect of giving 8 year licenses- Feedback from meeting with Regulator: Laws may not pass the senate License periods would still provide competition for self insurers in terms of flexibility/maturity Legislative change would be required if self insurers (ASIEQ) wanted to lobby for 8 year period Revisit insurer performance standards <p>DR Mary Wyatt Review of R&RTW Model Arrangements</p> <ul style="list-style-type: none">- Report due end of January 2015 <p>NTH QLD RTW Conference</p> <ul style="list-style-type: none">- Friday 24 April 2015 in Townsville- Thanks to LGAQ for providing Self Insured Employer Case Study for the conference <p>IP & RTW Conference</p> <ul style="list-style-type: none">- Thursday 22 October 2015- Combined with the Safe Work Awards <p>S.186 Fact Sheet and GEPI Training</p> <ul style="list-style-type: none">- Dr. Chris Cuneen provided training for staff at WC, end of December 2014- ASIEQ to run similar training for our own staff members- With the release of the 186 factsheet, raises a number of issues in terms of documentation and information that is provided to workers- Regulator proposed to assist in training, end of February/ early March- Outline of training required to be sent to Steve Campbell at the Regulator- Justin Crowley asked the floor that any issues that should be raised at the training be sent through to him <p>Lump sum payments</p> <ul style="list-style-type: none">- Number of plaintiff lawyers requesting lump sum payments to be paid into their trust account as opposed to paying the worker- Issue raised is that the rights to compensation cannot be waived or transferred, because it is compensation that can't be paid to anyone else other than the worker. Raises the issue of the effect of the worker's authority to pay somebody else.	



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	<p><i>Discussion from floor:</i></p> <p>General discussion around payments of compensation to solicitor instead of worker followed. Points raised by members included:</p> <ul style="list-style-type: none"> • Seeking legislative clarification of the basis for the request – none, compensation cannot be assigned. • Authority of worker to pay solicitor is irrelevant as not permissible under the legislation • Each request from solicitors should be addressed on an individual basis as per above • Direct the legal advisors to take it up with the Regulator as following legislative requirements <p>Work Cover QLD Meeting</p> <ul style="list-style-type: none"> - WCQ Invited to join HBOW Signature Steering Group - RTW Services tender awarded - SS: There were less than 50 providers. Had a maximum number on the panel so a lot of providers missed out, used to have 200 - GEPI reassessment: Matt Cross to discuss all the issues that WC has been dealing with in terms of the reassessment. Decisions not properly assessed were being were being rescinded and reviewed/reissued. Also request to keep record of Doctors not assessing the claims appropriately - SS: Indicated it would be useful to keep a list of Doctors not properly assessing claims if you wanted to decline a second assessment by that doctor, as part of your reasons, in case there is an appeal. - Audit of GEPI assessments 	
6.	<p>General Business</p> <p><u>Potential changes with the new government</u></p> <p>David Gomulka: Raised concern of new government proposal to repeal 5% Common Law threshold. Uncertainty as to the date of effect, whether they will attempt to backdate as rumoured. Concerns for business forecasting with that approach and impacts on workers’ who had elected to take lump sum. Did not consider that any legislative changes should be retrospective for these reasons. Requested Association take a hard line with any meetings with the government in relation to this due to the certainty that is needed in business.</p> <p>Bill Nevin: Raised suggested that the concern of returning to the same financial position as prior to implementation of the legislative changes was a potential position.</p>	



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	<p>Queried if the Association had a position on the matter as he wanted to assess if ASIEQ’s position was detrimental to Glencore.</p> <p>Chair advised this was the first time the issue had been raised and needed more information from the new government before making recommendations.</p> <p>DG: Recommended ASIEQ’s fallback position should be to raise the issues raised in the [recent] enquiry about lawyer behavior. He believed that the matters should be kept on the agenda with the new government. He highlighted the 50/50 rule that was implemented as recognition of concerns and in some instance even this was unreasonable.</p> <p>Chair acknowledged concerns but considered that even regulated legal costs would only have limited impact due to separate costs agreements between lawyers and clients. Further advice would be needed as to how that could potentially be addressed.</p> <p>BN: Raised that a major issue the government would need to consider is the impact on WorkCover’s position and how it would defend a blow out in fees [premiums]. Premiums have already been reduced to reflect the impacts of the legislative changes.</p> <p>DG: Concerned that changes could happen before next forum.</p> <p><u>ASIEQ Storage Unit</u></p> <ul style="list-style-type: none"> - After move from last secretariat, a lot of material was culled from past history - Any records have been scanned to allow portability of past records on external hard drive <p><u>Solicitor Issues</u></p> <p>Victoria Barham: Queried if other members finding frustrations at dealing with Shine lawyers.</p> <p>DG: Confirmed. Shine’s in-house practices seem to reflect maximizing revenue in house – use of in house Council and setting up of a department to consider Statutory claims issues.</p> <p>SS Advised some large law firms engaging social worker/rehab staff to assist in their case management.</p> <p><u>National Council</u></p> <p>Mark Hopsick Queried if members interested in receiving jurisdiction reports from other self –insurance associations.</p> <p>Chair advised they could be added to minutes/correspondence</p>	



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	<p><u>MAT Assessment Dates</u></p> <p>Thanh Tran: Raised that plaintiff lawyer was disputing MAT assessment dates saying that there is insufficient time for them to prepare. They said it was only a month and that it is too short and they are threatening judicial review. It is expanding in terms of their involvement.</p> <p>Any other issues to be emailed to CBA</p>	
	<p>Next Members Forum Meeting: Wednesday 13 May 2015</p> <p>Meeting Close: 9:04</p>	