

ASIEQ General Members Meeting

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| Date: | Wednesday 18 August 2021 |
| Time: | 9.30am – 10.25am |
| Location: | Via Zoom |
| Attendees: | Appendix 1 |
| Apologies: | Sheree Mackaway (ANZ); Helen Creagh (EML), Julie Wilson (City of Gold Coast) |

Acknowledgement to Country

Louisa began by acknowledging the traditional custodians of the land on which we met. The meeting was held via Zoom and she was in Brisbane which is a contested space, so she paid respects to both the Jagera people and the Turrbul people and their Elders, past, present and emerging. Louisa asked everyone to take a minute to think about the traditional owners of the land on which they stand.

Welcome

Louisa Hackenberg welcomed members to the August 2021 ASIEQ meeting. Louisa apologised that we were not meeting face to face but due to the current Covid cases, ASIEQ decided it was safer to have the meeting virtually.

Review of the previous Minutes

The minutes from the previous General Meeting on 19 May 2021 were circulated after that meeting.

Rosemary Neal moved a motion to accept the minutes of the meeting as a true and correct record. Seconded by Michelle Ware. None Opposed. Motion Passed.

Correspondence

| Correspondence Log | | | | | |
|--------------------|----------|----------|--------|--------------------|---|
| Date | Incoming | Outgoing | Method | Sender | Subject |
| 30/07/2021 | ✓ | | Email | Bill Nevin | Statutory Claims Officer Training and Cert Course |
| 13/07/2021 | ✓ | | Email | Westpac | Query re QOTE. Response sent 21 July |
| 2/07/2021 | ✓ | | Email | WorkCover Qld | Surgical Guidelines update |
| 28/06/2021 | | ✓ | Email | Louisa Hackeberg | Request for information on guidance notes for 572a. Response rcd on 6 July |
| 24/06/2021 | ✓ | | Email | Suzi D'Andrea | Assoc member application |
| 14/06/2021 | ✓ | | Email | WCRS | Information on Self Insurance Levy |
| 14/06/2021 | ✓ | | Email | Jobfit Systems | Assoc member application |
| 7/06/2021 | | ✓ | Email | Sofitel | Signed contract for 2021 conference CC'd on email to WCRS re request for Rehab policy template |
| 6/06/2021 | ✓ | | Email | Bill Nevin | |
| 4/06/2021 | ✓ | | Email | Justin Crowley | Notification of MAV ruling in Vic Contract for the 2022 |
| 2/06/2021 | ✓ | | Email | Sofitel | Conference |
| 1/06/2021 | ✓ | | Email | Bill Nevin | Suggestions to WCRS re data specifications |
| 31/05/2021 | | ✓ | Email | Louisa Hackeberg | Email to WCRS re doc links to WCO info. Action item from WCRS mtg |
| 26/05/2021 | ✓ | | Email | WCRS, Kelly Amos | Information re MAT portal re single medical certificates |
| 24/05/2021 | ✓ | | Email | Bill Nevin | CC'd on email to Craig Allen re self insurance levy rate |
| 24/05/2021 | ✓ | | Email | WCRS, Rob Sinnamon | Updated Audit process guide and spreadsheet tool received |
| 21/05/2021 | ✓ | | Email | Bill Nevin | cc'd on email to WCRS re Self Insurance levy rates |
| 19/05/2021 | ✓ | | Email | Bill Nevin | CC'd on email to WCRS re Audit Tool document versions |

Louisa noted the correspondence above. No questions were raised. Louisa commented that the correspondence has been listed in the agenda and minutes. If members wished to read any of this correspondence in full, they can contact the Secretariat for a copy.

Treasurers Report

Victoria Barham gave the Treasurer's report.

- Bank Balance as of 31 July 2021 - \$144 049
- Outgoings for July were \$3 942 for Secretariat fees
- A refund has been received for the PIEF sponsorship as the conference moved to online and ASIEQ were unable to have the coffee cart sponsorship paid for
- ASIEQ membership invoices will be issued in the first week of September.

Victoria also noted that there will be no increase to ASIEQ membership fees for the coming year.

Presidents Update

Clodagh thanked everyone for coming online and wished that we could have met in person. She asked the members how they were dealing with having their teams constantly wear masks and how they are keeping everyone connected with teams split to working at home again. It would be great to share this information between members so that we can learn from each other. She encouraged members to contact ASIEQ with their experiences. Looking forward, the mask mandate is likely to stay for the next 6 months.

We now have the audit framework in full swing since 1 July. Clodagh noted that she is working on an improvement action plan that resulted from her mid term audit. She noted she was required to do some audit tool training with her team and was requested to send proof of the meeting invitation to show that the training went ahead. This is something members may wish to think about if they are planning on doing training as it's hard to prove it occurred if it was just in a general weekly team meetings. If you have new starters in the first three months, how do you prove that you supported and trained a new starter as the Audit Tool has restrictions on how many claims they can have? It is worthwhile putting any training in an email so it can be referenced at a later date if required. Clodagh again encouraged members to share any experiences that may help others.

Clodagh discussed the monthly performance statistics. She noted in relation to an undermined Psychological claim in the exception report, her report stated its timely to remind the Self Insurer of the requirements under section 232AB "has consideration been given to services such as mediation and counselling whilst the claim is being determined. Please note the wording of section 232AB is that the Insurer must take all reasonable steps to provide reasonable services to support the worker while the claim is being determined. Penalty units can be applied". It's very important that payments for these services are coded correctly to ensure they reflect compliance. The payment code is 06 and payment type 030. Clodagh is unaware of any prosecutions in relation to non compliance but this is being closely monitored as part of the audit.

Clodagh summarised the minutes from the meeting with WCRS on 26 July. The meeting was attended by Janene Hillhouse, Rachel Hawkins, Brad Bick, Jonathan Shields, Rob Sinnamon, Chris Tsockallos and Sebastian Bielen from WCRS and Clodagh, Trent Rickard, Louisa Hackenberg, Cara Williams, Victoria Barham and Helen Creagh from ASIEQ. The recent meeting was held online due to Covid restrictions.

Clodagh noted that work around Psychological claims and law tends to feature quite heavily and this is likely to continue.

There have been some changes in the WCRS unit. Louise Robinson, Prosecution Services has commenced parental leave. Recruitment is underway with Brigid Pitkeathly currently Acting Manager – Prosecution Services. Self-Insurer Licensing and Performance unit comprises of:

- Rob Sinnamon, Acting Manager

- Charleen Lovell, Acting Principal Advisor (Self-Insurer Licensing)
- Jame Sydenham, Acting Advisor (Self-Insurer Licensing)
- Michael Spencer, Principal Auditor
- Kerstin Bednarek, Acting Auditor

There was a review of the 2015 Deemed Diseases in Australia Report. It was noted that Queensland does not adopt a deemed diseases list in its legislative framework, no substantive issues were identified. ASIEQ queried whether this included COVID-19 claims. WCRS confirmed at this point in this is not government policy noting that these claims are being accepted due in part to contact tracing. There is some presumption in other states which is being watched. Contract tracing seems to be the key way to identify the liability in a COVID claim. There has been approximately 20 claims in Queensland since the pandemic began.

Presumptive legislation for PTSD First Responders was discussed and the WCRS Minutes contain a link to the relevant documents. Some ASIEQ members may have first responder workers who are eligible for the new pathway, including self-insurers in the mining, health care and local government sectors. WCRS confirmed certain ASIEQ members are involved across a range of industries with greatest exposure and occupations where main duty involves first responder (e.g. mining, medical). ASIEQ will be consulted as part of the 12-month review in due course.

WCRS provided an update on the status of the NIIS RIS that was released in June 2020 seeking feedback on options to regulate re-entry to the National Injury Insurance Scheme (NIIS) if a person has exited the NIIS after accepting lump sum damages for their lifetime treatment, care and support (treatment damages). ASIEQ will be consulted on options following the analysis of public submissions made to the consultation RIS in mid-2020. Clodagh encouraged members to reach out to WCRS if you have any claims in this space and are waiting for information before making decisions on claims.

ASIEQ were advised that more guidance material will become available on the WCRS website however no timeframe has been given for this. They are looking at weekly compensation when work ends and relating to 572A and workplace health and safety obligations. The latter relates to the fact it's prohibitive to disclose workers compensation documents to be used in the employment process. A year or two ago there was a prosecution in relation to this matter and something we should be mindful of.

Last year WCRS circulated some draft documents on the accredited RTW Program and RTW Plan Guidelines which were returned with comments by ASIEQ members. We have not received a further update but have been advised that a new document will be released by 30 September 2021. They are also trying to prepare a glossary of terms. ASIEQ noted there is a lot of confusion around terms such as changing Rehab and return to work plans to be called injury management plans to keep it separate.

There will be no actuarial presentations this year. There will be newsletters instead.

Insurance Levies were sent out for implementation as of 1 July 2021.

ASIEQ asked that the document for the Claims Management Performance Standards and guidelines have document numbers as there has been some confusion as to which document is the correct version.

Time delays for the MAT were discussed and this was acknowledged particularly in relation to psychological claims. Referrals have increase in 2021/22. They have KPI's which are being met but these KPI's are not publicly available. Only 16% of the referrals that are received are considered valid and can be booked immediately but it's unclear as to why this is.

Clodagh noted that the Injury prevention and return to work North Queensland Conference will be held on 23/24 March 2022.

2022 ASIEQ Conference

Work continues on the ASIEQ Conference for 2022. The Pivoting and Progressing Conference will be held at the Brisbane Sofitel on 9 and 10 March 2022. The Conference is a multidisciplinary event exploring the unique and ground breaking ways organisations have pivoted to not just survive, but progress in these strange times. We have seen amazing leaps which in normal times may have taken years to implement, being made in a matter of weeks. How have these changes affected the way in which workers' compensation is managed and what will we continue to improve in the future now that we are on this new path?

Registrations are open and you can secure early bird tickets now and sponsorship opportunities are also available. We are pleased to announce that we already have three members who have bought a table sponsorship and these are Glencore, Teys and JBS. I would like to thank these members for their support and encourage others to get on board. We are also pleased that Jobfit Systems International have joined as a Bronze Sponsor and will have a trade booth at the conference. Lime Medico legal are also going to have a booth. Again, thanks to these organisations for their support. Members are encourage to visit the website for more information on sponsorship.

We are working hard to pull an exciting program together which will be released in the not too distant future. The conference committee and ASIEQ Executive have made the decision that should these dates be effected by Covid, we will be postponing the event as we feel it's important to give members and opportunity to meet face to face rather than trying to convert the conference to something online. So when you book, you can have some assurance that it will remain as a face to face event.

If you'd like more information, visit the [ASIEQ website](#) or look for the link in your email communications. If you have suggestions of topics or speakers you'd like us to include, feel free to email those to our Secretariat.

Sub Committee Reports

National Certificate of Capacity

Michelle Ware gave an update advising the focus is on the principles on the role of the GP in supporting work participation. The June workshop saw 37 people come together from various systems, sectors and services to have a national conversation and debate on creating a system that genuinely works towards work participation. Comcare will consider the feedback received and develop a series of initiatives from the workshop(s) and a planned approach to implementation which Comcare will share back with the group.

HWCA National Capacity Certificate working group update, next meeting has been moved to Sept due to delays in finalising the contract with the preferred provider for the Proof of Concept pilot.

RIG

Michelle Ware gave the RIG report. Medicinal Marijuana (MM) Continuing to see requests for funding (MM) across CTP and NISQ. Reduction in opioids in the main reason to consider funding. NISQ has some good results in this space.

MAIC have signed an agreement with the Emergency Medicine Foundation providing funds to help research into best emergency care for trauma patients in regional, rural and remote Qld. The research will also identify key barriers to optimal emergency care for patients and how to overcome those identified barriers. This partnership will help build research capacity for trauma and emergency healthcare clinicians in regional, rural and remote Qld.

Digital Innovation Project update

Online rehabilitation/reimbursement requests and online treatment plans will 'go live' from the 9th of June 2021. Online CTP medical certificates will also 'go live' from the 9th of June 2021. This will mean that the CTP medical certificate will appear in GP software from this date. MAIC will continue to support new online forms and welcomes feedback.

Claims dealing with First Nations People

Medilaw can assist with IMEs in an Indigenous rural community, Medilaw has an indigenous consultant, Barbara O'Neill contact details (see appendix 2). NISQ work with First Peoples Disability Network (FPDN) and have found them to be a useful resource.

Upcoming conferences/Webinars

University of Queensland injury recovery centre - RECOVER Conference 7th October 2021. Learn about RECOVER's latest research in road traffic injury rehabilitation, pain management and digital technologies. Registrations opening soon. Contact recover@uq.edu.au for more information

[Trauma 2021](#) 10-12 September 2021. Brisbane Convention & Exhibition Centre.

Webinar – Rehabilitation and persistent pain management 24th August 1:45pm to 3:15pm

Private Hospital Table of Costs

Cara Williams advised there isn't too much to update at present. WorkCover Queensland proposed a private hospital table of costs to be implemented this year. Late last year a draft was circulated and open for comment which was returned and some of the suggestions were taken on board however they may not be included in the first version. A second round of comments was open recently but as this has only just closed, no updates have been forthcoming. It's expected to be published on 1 November for implementation from 1 December 2021. This will be valid for all Workcover and Self Insurers. There will be some caps on items such as prosthetic handling fees and prices will be the same for rural hospitals as well as metro hospitals which hopefully will give more consistency and transparency.

General Business

Annual General Meeting

Louisa advised that the Annual General Meeting was scheduled for Friday 29 October however this date is now the rescheduled Ekka public holiday. As such, ASIEQ will be bringing the meeting

forward to Wednesday 27 October at 3pm. A decision will be made closer to the date as to whether the format will be face to face or virtual.

Louisa encouraged members to consider joining the ASIEQ Executive Committee. Nominations will be circulated in early October. She encouraged anyone interested to chat with an existing committee member or the Secretariat.

UQ Legal

Kate Thurbon from the University of Queensland updated the members on a right to information application that she brought to obtain documents relating to the "Pilot Program" in relation to OIR auditing self-insurers with the Draft Audit Framework. Initially OIR said that the request was too broad on the basis that they were after documents on the audit framework itself (which they were not after). They narrowed the request down to just the documents relating to the development of the "Pilot Program" or any document that referred to a "Pilot Program". No documents were disclosed – meaning they don't exist, confirming that a pilot program does not exist.

UQ also successfully challenged the Review Unit for not affording UQ procedural fairness with new medical evidence. The Review Unit was invited to reconsider its decision, was served with a draft Supreme Court Judicial Review application and again invited to reconsider its decision. It again refused to change its decision. UQ was successful in the application and received \$17k in legal costs from OIR. Kate is currently tracking 1 person's decisions in the Review Unit and if they are successful on an appeal that they have currently in the Commission, they intend having a meeting with OIR on the basis that this person doesn't have the skill or experience to be making decisions. Another member noted that a decision from a GP was taken over a specialist. Decisions are taking quite a while to be made. To commercially challenge a case in the QRIC, takes several years and is quite costly.

Another issue is that the Review Unit have used a generic email address for the Self Insurer and it can easily be missed. Under the audit tool, there is only two days to release the decision to the worker. Discussion was held over whether the day the information received is day 0 or day 1 however under the Act interpretation act, it should be day 0.

It was further discussed that where the decision is upheld, it seems unnecessary to advise the worker adverse information when they are being informed by the Regulator as receiving multiple letters could cause unintended stress. It goes against the Section 545 – 1b and 2b. Tey's is currently challenging this information as part of their mid term audit and awaiting information from the Regulator.

ASIEQ has been informed that on the 12 month anniversary of the Audit, further consultation will be held and these are issues that should be raised. This will also be raised at the next ASIEQ meeting with the WCRS. Members were reminded to submit any issues they would like raised and this can be done anonymously.

Professional Development Event

Louisa encouraged all members to attend the Recovre's Pain Program: Resolve, by Amelio Health session next Wednesday 25 August at 9.30am. Registrations can be made via the Secretariat.

Next Meeting

The next General meeting and forum will be held on Wednesday 17 November and a decision will be made closer to the time as to whether it will be face to face, virtual or both. The AGM dates had been tabled above.



Clodagh McCowen
President
17 November 2021

Appendix 1 – Meeting Attendees

| | | |
|-----------|------------|-----------------------------------|
| Michelle | Ware | Allianz |
| Trinity | McKenzie | Arnotts Biscuits Limited |
| Danielle | Bolton | ASIEQ |
| Stephanie | Naidoo | Aurizon |
| Cara | Williams | Bolton Clarke |
| Katerina | Glassock | Brisbane City Council |
| David | Gomulka | Brisbane City Council |
| Kylie | Howard | Brisbane City Council |
| Andrew | Murrell | Brisbane City Council |
| Kelly | Tucker | Brisbane City Council |
| Jamie-Lee | Crawford | Coles Group |
| Clodagh | McCowen | Coles Group |
| Tania | Perina | CSR Limited |
| Malou | Tavita | CSR Limited |
| Colette | Nancarrow | GFG Alliance (Liberty OneSteel) |
| Rosemary | Neal | GFG Alliance (Liberty OneSteel) |
| Natasha | Iselin | Glencore |
| Karen | Wilson | Inghams Enterprises Pty Ltd |
| Dean | Campbell | Jardine Lloyd Thompson (JLT) |
| Megan | White | JBS |
| Susan | Lloyd | JBS Australia |
| | | Local Government Association |
| Rachael | Lindsay | Queensland |
| Paul | Bush | Qantas Airways Limited |
| Jodie | Singarella | Qantas Airways Limited |
| Carlie | Faint | Queensland Rail Limited |
| Suzanne | Forsyth | Queensland Rail Limited |
| Louisa | Hackenberg | Queensland Rail Limited |
| Michael | Byrne | Recovery Partners |
| Karen | McLoughlin | Star |
| Sarah | Reynolds | Teys Australia Meat Group Pty Ltd |
| Trent | Rickard | Teys Australia Meat Group Pty Ltd |
| Victoria | Barham | The Star Entertainment Group |
| Justin | Crowley | Toll Group |
| Louise | Grant | Townsville City Council |
| Christine | Judge | Townsville City Council |
| Lesley | Dame | Tricare |
| Jodie | Longden | Tricare |
| Deb | Allen | University of Queensland |
| Kate | Thurbon | University of Queensland |
| Suzanne | D'Andrea | Vocational Redirection |
| Tim | Elvery | Work Rehab |