

Resolving disputes about treatment and care needs

What is a dispute about treatment and care needs?

A dispute is when someone disagrees with Lifetime Care's decision about your treatment or care needs. You have the right to disagree with any decision that we make about your treatment and care needs.

If you don't agree with our decision, the first step is to talk about it with your icare contact.

We're committed to helping you resolve issues quickly and informally. We may contact others involved in your care, such as your service providers or family and carers and arrange a meeting to discuss the decision.

You can contact our Assessment Review team on 1300 738 586 or email: feedback.lifetimecare@icare.nsw.gov.au.

If we can't resolve things informally, you can also lodge a dispute.

How are decisions about treatment and care needs made?

We pay for treatment, rehabilitation and care services to meet needs related to your motor accident injury. The services must be 'reasonable and necessary', and help you with the things you want to do and achieve in your life (your goals).

The *Lifetime Care and Support Guidelines* (the *Guidelines*) outline the types of services we pay for. We review each request on an individual basis and make a decision according to the *Guidelines* about whether the services are reasonable and necessary and can be paid for. You'll receive a written certificate explaining our decision.

For more information on what reasonable and necessary means, see our information sheet *What is 'reasonable and necessary' treatment, rehabilitation and care?* This can be found on our website www.icare.nsw.gov.au. The *Guidelines* are also on our website.

Is a dispute different to a complaint?

Yes. A dispute is only about a decision made by us on whether treatment, rehabilitation and care is paid for or not (as outlined in a written certificate).

A complaint can be about any aspect of Lifetime Care, the level or service provided to you, or the services paid for by us. Anyone can make a complaint to us.

A dispute is resolved in a different way to a complaint. For more information, see the complaints and disputes information on our website www.icare.nsw.gov.au. You can also see our information sheet about compliments and complaints: *Your feedback - Tell us what you think*, on our website.

Who can lodge a treatment and care needs dispute?

A treatment and care needs dispute can be lodged by:

- you (the injured person)
- your representative (for example, a family member or a solicitor).

When can a treatment and care needs dispute be lodged?

A dispute can only be lodged after you've received our written certificate with the decision about your treatment and care needs.

The dispute needs to be lodged within 28 days of receiving the certificate.

How do I lodge a treatment and care needs dispute?

Disputes can be lodged verbally (by phone or in person), or in writing, either by a letter or email to us. The letter or email needs to explain why you disagree with our decision. You should include any information that is relevant to the dispute.

You can contact our Assessment Review team on 1300 738 586 or by email: feedback.lifetimecare@icare.nsw.gov.au for more information or to lodge a dispute.

If you need help to lodge a dispute, we also have several support and advocacy providers who can assist you to navigate the dispute process. For details, see our information sheet: *Support and Advocacy Service*, this can be found on our website www.icare.nsw.gov.au

Alternatives to a dispute

Sometimes, your dispute application could contain new information, or information that might change the decision we made that you don't agree with. If we think this is the case, we may ask you if we can make a new decision. If you don't want to do this, you can still go ahead with the dispute. You can also go ahead with a dispute, if the new decision didn't help you get the outcome you wanted.

Who assesses the dispute?

We'll choose a dispute assessor who can best resolve your dispute. It will be an independent professional who has not assessed or treated you before.

All dispute assessors are medical and health professionals and have extensive experience assessing and treating people with severe injuries. All dispute assessors are independent from us.

How will the dispute assessor make a decision?

The dispute assessor will be sent all relevant information on the dispute. They'll look at the information and decide how to assess the dispute.

They may decide to assess you and talk to you, or the people involved in your life (such as family members or your service providers). We'll advise you if you are to be assessed.

Once the assessment has been completed, the assessor will make a decision about the dispute. This decision is legally binding, which means you and Lifetime Care must accept the decision. We'll pay for all the treatment or care that the dispute assessor decides is reasonable and necessary.

Sometimes, there are certain grounds for review. These are outlined in our information sheet: *Review of a dispute assessor's decision on treatment and care needs*. This can be found on our website www.icare.nsw.gov.au

Can I give information to the dispute assessor?

Yes. You or your representative can give information to the dispute assessor. The information needs to be in writing and sent to our Assessment Review team. You can phone on 1300 738 586 or email: feedback.lifetimecare@icare.nsw.gov.au.

It's important to provide any relevant information as soon as possible to ensure the assessor reviews it, as it may affect how they make their decision.

We'll send the information to the assessor and to any other parties involved in the dispute (for example, your solicitor). You'll also be sent a copy of any information provided by another party.

How long will the dispute process take?

Disputes about treatment and care needs may take several months to resolve. This is because the time required to gather information or to complete assessments to ensure the right decision is made. The dispute assessor will try to resolve the dispute as quickly as possible.

We'll keep you informed throughout the process.

What happens next?

You'll receive the decision that resolves the dispute in a written certificate, outlining the dispute assessor's reasons for the decision. It will be sent to you and us at the same time.

This decision is legally binding and can only be reviewed on certain grounds. These are outlined in our information sheet: *Review of a dispute assessor's decision on treatment and care needs*. This is on our website www.icare.nsw.gov.au.

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