

Review of a dispute assessor's decision on treatment and care needs

If you've disputed a decision about your treatment and care needs, you'll receive a certificate with the dispute assessor's decision. If you think the dispute assessor's decision is wrong, you can apply for a review.

Under what circumstances can I apply for a review?

You can only apply for a review on one or more of the following grounds:

- there is additional relevant information about your treatment and care needs (information that was not available, or could not reasonably have been obtained, at the time of the assessor's determination and that information is capable of having a material effect on the determination)
- the decision was not made in accordance with the *Lifetime Care and Support Guidelines* (the *Guidelines*)
- the decision is demonstrably incorrect in a material respect.

The *Guidelines* can be found on our website www.icare.nsw.gov.au

How do I apply for a review?

You (or Lifetime Care) can apply for a review application within 28 days of receiving the dispute assessor's certificate. A review application must be in writing (in a letter or email) that includes:

- your name, address, contact details and the date of the dispute assessor's decision
- which ground or grounds for review (listed above) apply, including detailed reasons why the review is being requested and how it you think it meets the ground or grounds
- any other relevant information or reports in support of your application.

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

Review applications can be emailed to: feedback.lifetimecare@icare.nsw.gov.au

or posted to: Assessment Review team

Lifetime Care

GPO Box 4052

Sydney NSW 2001

What happens next?

If you apply for a review, Lifetime Care can make submissions on the application.

The application, any submissions received in response, and all relevant information will be considered in deciding whether the review will be referred to a review panel, or whether it has been dismissed, within 20 working days of your review application. Written reasons will be provided.

Alternatives to a review

Sometimes, your review application could contain new information, or information that might change the decision we made. If we think this is the case, we may ask you if we can make a new decision. You still have other options if the new decision didn't help you get the outcome you wanted.

Who is on the review panel?

If your review application is accepted, we'll convene a review panel of three suitable assessors from Lifetime Care's list of dispute assessors (not including the original assessors) as soon as possible. You can choose the assessors on the review panel if Lifetime Care applies for the review.

You'll be advised of the details for the review panel, including their names and specialties. Within 10 days, you can request different assessors if you think those chosen are not suitable.

A panel chairperson will then be appointed, and the three assessors will be sent the review application and all the information which was before the original dispute assessor, and all documentation received since that decision was made.

The panel's initial meeting will be held as soon as possible after the panel is convened.

How does the review panel assess the application?

The review panel will determine how it will conduct the assessment, but it must comply with the *Guidelines*.

The review panel will consider all aspects of the dispute afresh, and will decide whether:

- another clinical examination is required, or if the assessment can be made using the existing documentation
- any additional information is required
- any additional meetings are required.

You must comply with any reasonable request from the review panel, including undergoing a clinical examination if necessary. The review panel will either confirm or revoke the decision of the original dispute assessor.

How long will the review process take?

It may take several months to finalise the review outcome. It may take longer if all relevant information is not provided with the application. You'll be kept informed about the progress of the review.

The review panel will decide whether the ground or grounds for review are met, and either confirm or revoke the decision of the dispute assessor. If the decision is revoked, the panel will substitute its own determination.

The review panel will issue a certificate with written reasons for their decision within 20 working days of their last meeting. This will be sent to you and to Lifetime Care.

The decision is final and binding.

Will it cost me anything?

No. The cost of the review panel assessment is paid by us, including any necessary travel and accommodation. We can't pay any legal costs for you, for example, if you engage a solicitor to assist you with the review.

For more information contact the Assessment Review team, Lifetime Care on 1300 738 586 or email: feedback.lifetimecare@icare.nsw.gov.au.