

Consequential Injuries and
health conditions policy:
Lifetime Care

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Contents

1. Background and context	3
2. Purpose.....	3
3. Definitions	3
4. Policy principles	3
5. Scope	3
6. Information required by Lifetime Care to support requests relating to a new 'consequential' injury or health condition.....	4
7. Requests requiring additional reviews.....	4
8. Circumstances where Lifetime Care is unable to fund requests for treatment, rehabilitation and care services for an injury and/or health condition.....	4
9. Alternate funding options for unrelated injuries/health conditions	4
10. Glossary of terms	5

1. Background and context

The Lifetime Care and Support Scheme pays for treatment, rehabilitation and care for people who have been severely injured in a motor accident in NSW. Following severe injury, it is not uncommon for additional injuries or health conditions to be diagnosed at a later time that have a relationship to the original motor accident.

Lifetime Care may consider a request for treatment, rehabilitation and care relating to an injury and/or health condition that is acquired or diagnosed after the motor accident, if it is established that the injury and/or health condition is a result of the initial injury for which the person is a participant in the Scheme under the *Motor Accidents (Lifetime Care and Support) Act 2006*.

When requests of this nature are made, Lifetime Care requires additional information to be provided to ensure funding decisions can be made in a timely manner.

2. Purpose

The purpose of the Consequential Injuries Policy is to ensure that Lifetime Care participants have access to reasonable and necessary injury-related treatment, rehabilitation, and care services and supports.

This Policy clarifies what constitutes a 'consequential' injury and/or health condition and provides guidance on the type of information Lifetime Care requires to support decision-making about requests relating to new injuries and/or health conditions.

The Policy promotes transparency in decision making by outlining the additional factors Lifetime Care may consider when making a determination and the additional information/assessments that Lifetime Care may request.

3. Definitions

For the purposes of this policy:

- a 'consequential' injury is an injury that is acquired as a result of the injury or injuries sustained in the original motor accident;
- a 'consequential' health condition is a physical, medical, mental, or psychosocial condition that is acquired as a result of the injury or injuries sustained in the original motor accident.

4. Policy principles

1. Lifetime Care can pay for reasonable and necessary treatment, rehabilitation, and care services that relate to consequential injuries and/or health conditions
2. The 'consequential' injury and/or health condition must have resulted from the original motor vehicle accident.
3. An injury/health condition is not a 'consequential' injury/health condition if it did not result from the original motor vehicle accident, such as if it has been sustained in a subsequent accident or event; is a result of the natural ageing process; or is a progression of a pre-existing or concurrent health condition or disability.

5. Scope

This policy applies to:

- all participants in the Lifetime Care and Support Scheme
- Lifetime Care staff and service providers engaged by Lifetime Care, who are supporting participants requesting treatment, rehabilitation and care services relating to a consequential injury.
- Lifetime Care staff making decisions about requests for treatment, rehabilitation and care services relating to a 'consequential' injury.

6. Information required by Lifetime Care to support requests relating to a new 'consequential' injury or health condition

Requests for treatment, rehabilitation or care services related to a 'consequential' injury or health condition must demonstrate that the need for the services is a result of the initial motor accident. Requests should be supported by information obtained from suitably qualified and experienced practitioners that:

- confirms a 'consequential' injury or health condition has been acquired or diagnosed
- comments on the circumstances in which the 'consequential' injury or health condition has been acquired or diagnosed
- explains the causal link between the injuries sustained in the initial motor vehicle accident and the 'consequential' injury and/or health condition.

When reviewing requests for treatment, rehabilitation, and care services for 'consequential' injuries and/or health conditions, Lifetime Care may consider:

- the extent to which the request demonstrates that the initial motor accident injury has caused or contributed to the 'consequential' injury
- the length of time between the initial motor accident injury and the 'consequential' injury/health condition
- the presence of any pre-existing or concurrent non-injury-related health conditions that may interact with the 'consequential' injury/health condition.

7. Requests requiring additional reviews

In circumstances where Lifetime Care requires additional information to make a decision on a request relating to a new injury and/or health condition, Lifetime Care may arrange for additional medical reviews. This may include specialist assessment and/or imaging. We may also request other background documentation and reports pertaining to the 'consequential' injury and/or health condition and the relationship to the initial motor accident injury.

8. Circumstances where Lifetime Care is unable to fund requests for treatment, rehabilitation and care services for an injury and/or health condition

Lifetime Care is unable to fund services where an injury and/or health condition was caused by an intervening event that breaks any connection between the initial injury and the more recently acquired/diagnosed injury or health condition.

If the request relates to care services, and the care needs relating to the new and unrelated injury are greater than the motor vehicle injury-related needs, Lifetime Care will contribute funds up to the current approved care needs relating to the motor accident injury.

If Lifetime Care decides that it is unable to fund a request for treatment, rehabilitation or care, Lifetime Care will issue a certificate setting out the reasons for the decision.

9. Alternate funding options for unrelated injuries/health conditions

If Lifetime Care determines that the participant's injury/health condition does not meet the definition of consequential injury, the participant may choose to seek support through the public health system, private health cover, or other funding and compensation sources. Participants may be eligible for other funding due to:

- an additional injury or health condition sustained in a motor or workplace accident;
- ageing and onset of age-related health conditions i.e. hearing and vision loss, cardiovascular disease, dementia;
- acquiring an additional permanent injury, health condition, or disability.

In this situation participants should be informed by their case manager about the alternative funding sources that may be available to them.

10. Glossary of terms

Term	Definition
Causal link	A relationship between two things in which one of them causes the other
Concurrent health condition	A co-occurring health condition that does not relate to the motor vehicle accident
Consequential Injury	An injury that is acquired as a result of the injury or injuries sustained in the original motor accident
Consequential Health Condition	A physical, medical, mental, or psychosocial condition that is acquired as a result of the injury or injuries sustained in the original motor accident
Lifetime Care staff	A service coordination officer, coordinator, rehabilitation case manager or community living facilitator
Psychosocial condition	A term used to describe the functional impact and barriers that may arise from a mental health issue
Suitably qualified and experienced practitioner	A person who has professional qualifications, training, skills, and experience relevant to the request