

Part 11: Participants living overseas

This Part of the Lifetime Care and Support Guidelines is made under the *Motor Accidents (Lifetime Care and Support) Act 2006* (the Act), including sections 11A, 23, 28 and 58.

This version of Part 11 of the Lifetime Care and Support Guidelines (the Guidelines) takes effect on the date of gazettal in the NSW Government Gazette and applies to any assessment of treatment and care needs made on and from that date in respect of any participant in the Scheme living overseas, whether interim or lifetime and whether accepted into the Scheme before or after the date of gazettal.

This Part should be read in conjunction with Parts 5, 6, 7 and 18 of the Guidelines.

The Lifetime Care and Support Authority (Lifetime Care) may waive observance of any or parts of this Guideline. Waiving observance of all or part of this Guideline in any particular circumstances is not an indication that Lifetime Care will waive observance of this or any other Guideline in any other circumstances.

1 Lifetime Care's assessment of treatment and care needs when the participant is living overseas

- 1.1 Wherever possible, Part 5 of the Guidelines applies in relation to assessment of treatment and care needs when a participant is living overseas.
- 1.2 In some circumstances, Lifetime Care may waive part or all of its procedures, such as the need for information to be provided on Lifetime Care's forms, if it can otherwise be satisfied that a treatment or care need is reasonable and necessary and relates to the motor accident injury.
- 1.3 If there is insufficient information, Lifetime Care may be unable to determine that the treatment and care need is reasonable and necessary and related to the motor accident injury, or that the expense incurred is reasonable.

2 Reasonable and necessary treatment and care needs

- 2.1 Reasonable and necessary treatment and care needs when a participant is living overseas may include a brokerage service, case management service or other contracted service to assist with the administration of treatment and care services.
- 2.2 As outlined in Part 18 of the Guidelines, Lifetime Care may consider there are special circumstances in relation to the payment of non-approved providers in respect of services provided to a participant living overseas.

- 2.3 Lifetime Care may enter into an agreement with a participant living outside Australia to pay expenses to the participant for a fixed period in accordance with section 11A(4) of the Act.
- 2.4 Lifetime Care will seek to meet the participant's treatment and care needs in a way that is compatible with local service provision in the participant's country of residence. Lifetime Care can only fund services to meet treatment and care needs outlined in section 5A of the Act that are available in the country in which the participant resides.
- 2.5 Payments made by Lifetime Care for treatment, care and support services will be in Australian dollars and will not exceed the costs that would be incurred if the participant were living in Australia.
- 2.6 The reasonable expenses in relation to the participant's assessed treatment and care needs in relation to participants living overseas will not generally include:
- a) an expense that is unreasonable when compared to similar services provided in NSW or Australia;
 - b) services where there is insufficient information about the participant's injury-related need for the item or service;
 - c) costs related to relocating to another country, such as visas, travel agent fees or immunisation;
 - d) repatriation, flight or accommodation costs for the participant to return to Australia; or
 - e) costs related to medical or allied health professionals travelling to the participant's country of residence to assess or treat the participant.