

Workers Care Program

Consequential Injuries and health conditions

The Workers Care Program pay for treatment, rehabilitation and care for people who have been severely injured in a workplace accident and have an accepted workers compensation claim. Following a workplace 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 workplace accident.

Workers 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 workplace accident, if it is established that it is a result of the initial injuries sustained in the workplace accident.

This information sheet answers some frequently asked questions about consequential injuries. If you have further questions, please contact your Workers Care contact.

What might be considered a consequential injury and/or health condition?

To be considered consequential, the new injury and/or health condition must have resulted from the original workplace accident. For example:

- A worker injures their left shoulder in the initial workplace accident causing them to favour their right shoulder. The right shoulder develops an overuse injury.
- A worker sustains a traumatic brain injury in the initial workplace accident and later is diagnosed with post-traumatic seizures by their neurologist.
- A worker sustains a complete spinal cord injury in the initial workplace accident. 5 years later they sustain a lower limb fracture from a low impact event. The worker is subsequently diagnosed by a specialist with Osteoporosis, with the associated bone loss being responsible for the low impact fracture.
- A worker is diagnosed with a mental health condition following the initial workplace accident, where it was determined that the accident was the main contributing factor through demonstration of a reasonable causal link by a psychologist or suitably qualified and experienced medical practitioner. This is termed a secondary psychological injury under section 65A of the *Workers Compensation Act 1987* and relates to a psychological injury which arises as a consequence of, or is secondary to, a physical injury.
- A worker undergoes surgery relating to pelvic fractures sustained in the original workplace accident. Following the procedure, the worker suffers a cardiac arrest that results in a hypoxic brain injury. The cardiac arrest is directly related to complications from the surgery.

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 workplace accident and the consequential injury and/or health condition.

Additional information relating to principles, expectations and benchmarks of claims management for consequential injuries and health conditions, and secondary psychological injury, can be found in the [State Insurance Regulatory Authority \(SIRA\) Standards of Practice](#). Relevant sections include:

- [S13. Additional or consequential medical conditions](#)
- [S33. Managing psychological injury claims](#)

What is not considered a consequential injury and/or health condition?

An injury/health condition is not a consequential injury/health condition if it did not result from the original workplace 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. For example:

- if a worker sustained a broken arm in the initial workplace accident and subsequently sustained a broken leg in a second workplace accident, the broken leg would not be considered a consequential injury for the purposes of this policy
- If a worker sustained a traumatic brain injury in the initial workplace accident, and 5 years later had an ischaemic stroke that is determined to be a result of an unrelated chronic health condition, the stroke would not be considered a consequential injury or health condition for the purposes of this policy.

What is an intervening event?

An intervening event breaks any connection between the initial injury and the more recently acquired/diagnosed injury or health condition. For example, an intervening event might occur where:

- a worker sustains a fracture to their arm in the initial workplace accident to which there was an uncomplicated full recovery, and subsequently injures the same arm falling while riding their bicycle three years later
- a worker sustains a traumatic brain injury in the initial workplace accident with a successful period of physical rehabilitation resulting in no ongoing mobility restrictions. Five years later the worker requests a private inpatient rehabilitation admission due to a deterioration in their mobility following an unrelated cardiac surgery.

Workers Care is unable to fund services where an injury and/or health condition was caused by an intervening event.

What other funding sources might be available to workers?

If Workers Care determines that the persons injury/health condition does not meet the definition of a consequential injury, workers should be informed by their case manager about the alternative funding sources that may be available to them. Workers may be eligible for other funding due to:

- the new injury and/or health condition being directly related to an additional 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

Funding sources include:

- My Aged Care
 - [How to apply for an assessment | My Aged Care](#)
 - [Advocacy support in aged care | My Aged Care](#)
- Workers Compensation – [Interstate Workers Compensation Schemes - Fair Work Ombudsman](#)
- State based motor accident schemes –
 - New South Wales - [CTP Assist - SIRA \(nsw.gov.au\)](#)
 - Victoria - [What to do after an accident - TAC - Transport Accident Commission](#)
 - Queensland – [Overview of the Queensland CTP claims process - MAIC](#)
 - Northern Territory – [Northern Territory Motor Accident Compensation Commission \(ntmacc.com.au\)](#)
 - ACT - [How to apply for support - Motor Accident Injuries Commission \(act.gov.au\)](#)
 - Tasmania - [Been in an accident? - MAIB](#)
 - South Australia - [How to claim | CTP Insurance Regulator](#)
 - Western Australia - [Report a crash/Notify an injury - Insurance Commission of Western Australia \(icwa.wa.gov.au\)](#)
- Private Health Cover

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 workplace accident
Consequential Injury	An injury that is acquired as a result of the injury or injuries sustained in the original workplace 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 workplace accident
Workers Care staff	A 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

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