

Communicating a determination or decision

Claims administration

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Introduction

As with all communications with our stakeholders, you must consider the [Claims Communication Principles](#), when contacting an employee (and employer) to advise them we are accepting or declining their claim.

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Communicating a newly accepted claim

This information is designed to help you plan and conduct your telephone conversation with the employee or their representative.

Begin the call

Introduce yourself and that you are calling from Comcare.

Privacy

Undertake a privacy check to ensure you are speaking to the correct person. For guidance, refer to the [Verifying Caller Identity](#) document.

Ask if now is a good time to talk? If not, when?

Set the scene. *"Today, I'd like to talk to you about acceptance of your claim..."*

Explain the claim determination – accept

Explain to the employee that their claim has been accepted and the specifics of what has been accepted.

Comcare's role

Explain your role in a claim for compensation:

- Assess and manage the claim. You could say “*As you know, I have been assessing your claim to make the determination. I will continue to manage your claim while you are receiving compensation from Comcare (and until you are back at work).*”
- Work with you, your employer and treating health practitioners to support you to:
 - return to health and where possible, safely remain at or return to work
 - support you throughout the claim process.

Entitlements

As the claim is accepted, discuss the various entitlements the employee may have access to. These can include the following:

- Normal Weekly Earnings calculation information, including obligations for informing Comcare of any changes, 45 weeks till reduction etc. See the [Incapacity payment and calculation](#) pages for all the guidance on this topic.
- Incapacity payments – explain the process for claiming for incapacity.
- Medical treatment/household services - advise of the process for claiming for medical treatment or other supports. This includes seeking prior approval and where to find the relevant forms. See the [Medical treatment and other support](#) pages for all the guidance on this topic.
- Process for claiming reimbursements.

Return to work (RTW)

Discuss the following with the employee:

- Has a return to work been achieved?
- If not, confirm current work capacity and identify any potential return to work barriers. Barriers include medical, workplace and external factors.

Capacity and motivation

Discuss with the employee any workplace support including:

- rehabilitation
- whether their employer has contacted them to discuss RTW options (if not, the Claims Manager will discuss with the Rehabilitation Case Manager (RCM)).

Treatment

During the conversation with the employee, it is a great opportunity to gain an understanding of their treatment (current and potential). You can confirm with them the following:

- What treatment is currently recommended and being undertaken.
- When did they commence treatment?
- Frequency of treatment.
- Treating practitioners or specialists the employee has been referred to.
- Any potential or recommended treatment they have been looking to undertake.

Employee responsibilities/obligations

It is always important to set expectations and explain to the employee their obligations in relation to their claim. These can include the following:

- Attend medical examinations arranged by Comcare (as appropriate).
- Participate in the return-to-work process by co-operating with your employer, rehabilitation case manager and rehabilitation provider.
- Ensure you supply up to date medical certificates to support your claims.
- Notify us if your personal circumstances change such as name, address, earnings, capacity for work, and bank details.

Employer responsibilities/obligations

It is also a good opportunity to explain the employer's role. They must take reasonably practicable steps to ensure the health and safety of you and others. This may include:

- making changes to the workplace to minimise the chance of further injuries or accidents
- providing you with claims information, including relevant forms and advice about processes and procedures

- working with the Claims Manager to support an accurate and timely determination of your claim
- supporting you to return to health and safely remain at or return to work, where possible.

If the employee raises concerns about their employer with you, this may prompt you to have a discussion with the Rehabilitation Case Manager (RCM).

Call wrap up

Ask the employee if there is anything they want to discuss.

Summarise the conversation and discuss next steps. For example:

- Today we discussed that Comcare has accepted your claim for (insert claimed compensation). We also discussed the claims process, your diagnosis, treatment, return to work, entitlements and responsibilities.
- Comcare may request a report from your treating health practitioners seeking their input on your injury, capacity for employment and recovery.
- We may liaise with various stakeholders to support the management of your claim such as Rehabilitation Case Managers at your employer.
- Our [Clinical Panel](#) may liaise with your treating health practitioner to support treatment and return to health outcomes.

Thank the employee for their time.

Record your conversation and set diaries

At the end of the call, make sure you update the claim plan and add claim comments that detail the conversation. Set diaries to ensure any specific commitments are actioned.

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Communicating an adverse decision

This information is designed to help you plan and conduct your telephone conversation with the employee or their representative.

Before you make the call, please read and consider the information in [Communicating with an employee](#). This page provides useful guidance on managing difficult conversations, and dealing with aggression, threats or suicidal callers. Familiarise yourself with this information **before** you start a phone call, particularly when you are declining a claim.

Timing of conversation

When delivering an adverse decision, it is critical to consider the best time to have this conversation. You should select a time that allows you the opportunity to fully explain the decision and allows the employee to ask questions about the decision. For further information on delivering adverse decisions, refer to the '[How to deliver an adverse decision](#)' guidance document.

Managing risk to the employee

Before communicating an adverse decision to an employee, you should consider the impact and risk to the employee of receiving such information. If you do have concerns, discuss with your Assistant Director the most appropriate way of communicating the information to the employee. This may include a discussion with an Injury Manager as well.

Following consultation with your Assistant Director you may need to contact the treating practitioner to better understand the risk of adverse effect on the employee receiving the information. If the risk is deemed high, the treating practitioner should be asked to assist with communicating the information to the employee.

Begin the call

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Ask if now is a good time to talk? If not, when?

Set the scene. *"Today, I'd like to talk to you about your claim..."*

Explain the claim determination – decline

Explain to the employee that their claim has been declined and the specifics of what has been declined.

When advising the employee of the decision you should:

- clearly explain the decision
- provide the employee with the information and evidence you have relied upon to make the decision, for example, Independent Medical Examination opinion, treating health practitioner information, employer statements
- allow the employee to ask questions about the decision
- explain to the employee their appeal rights
- provide the decision in writing following the conversation
- encourage the employee to seek support from their treating health practitioner.

Throughout the conversation, do not state to the employee that you understand what they are going through, as this may make a difficult situation worse.

Call wrap up

At the end of the call, thank them for their time.

Record your conversation and set diaries

At the end of the call, make sure you update the claim plan and add claim comments that detail the conversation. Set diaries to ensure any specific commitments are actioned.

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