

Rehabilitation process

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Introduction

In our context, rehabilitation is the process of providing guidance and support to an injured employee to enable recovery and, in most cases and where appropriate, return to work. Recovery and return to work are not mutually exclusive and rehabilitation should incorporate recovery at work wherever possible.

Under the SRC Act, the 'rehabilitation authority' is responsible for managing the rehabilitation and return to work of their employees.

Who is the rehabilitation authority?

The table below lists the rehabilitation authority for employees in different circumstances:

Status of employee	Rehabilitation authority
Currently employed by the Australian Government agency or statutory authority	The Australian Government agency or statutory authority
Moves from one Australian Government employer to another	The new employer becomes the rehabilitation authority and is responsible for the management of the employee's rehabilitation. However, the

	liability is retained by the original Australian Government employer.
Temporarily transferred to another Australian Government employer (for example, on a work trial where the employee is paid by the new employer)	The role of the rehabilitation authority transfers to the new employer. This role reverts to the substantive employer at the end of the employee's temporary transfer
Leaves an Australian Government employer by any means (such as redundancy, resignation or involuntary separation) and takes up employment with another Australian Government employer	The new employer becomes the employee's rehabilitation authority.
An ex Australian Government employee who takes up employment with a private sector company	The last Australian Government employer remains the employee's rehabilitation authority for the life of their claim.

Refer to Rehabilitation information for employers for further [information](#).

A rehabilitation authority may engage the services of a workplace rehabilitation provider (approved by Comcare's Scheme Management Group) to develop and implement a rehabilitation program, or the rehabilitation authority may provide the rehabilitation program for the employee itself.

Comcare supports rehabilitation authorities during the rehabilitation process by:

- liaising with relevant stakeholders
- providing rehabilitation advice
- ensuring claims are managed effectively
- ensuring decisions are accurate and timely
- ensuring entitlements are processed quickly

Claim Operations teams work with the Injury Management Teams to provide this support.

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Rehabilitation services

The SRC Act defines a rehabilitation program as including 'medical, dental, psychiatric and hospital services (whether on an in-patient or out-patient basis), physical training and exercise, physiotherapy, occupational therapy and vocational training.'

This definition includes elements of both medical and occupational rehabilitation. Both of these elements come together to provide an effective rehabilitation program for an injured employee. Comcare advises rehabilitation authorities that it is preferable that medical treatment be determined by Comcare under section 16 of the SRC Act, rather than provided as part of a rehabilitation program. This allows medical treatment to be determined consistently and with regard to Comcare policy such as the [Clinical Framework](#).

Rehabilitation services included in a rehabilitation program approved by a rehabilitation authority may include:

- vocational assessments – for further guidance refer to the [Vocational assessments](#) page
- labour market assessments – for further guidance refer to the [Labour market assessments](#) page
- work trial identification, monitoring and support
- guidance or vocational counselling
- functional capacity assessments
- assessment of work requirements and potential suitable duties for return to work
- mediation services
- adjustment to disability counselling
- workplace support
- work experience and training, and
- assistance with resume development, job seeking and interview preparation.

If medical treatment is included as part of a rehabilitation program, you should discuss the program with the Rehabilitation Case Manager working with the rehabilitation authority to agree on how best to meet the treatment needs of the employee.

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Benefits of Rehabilitation

The benefits of providing rehabilitation and return to work support for an employee include (as per the [Rehabilitation case manager handbook](#)):

For employees:

- maintaining connections with the workplace and feeling supported
- returning to pre-injury activities and lifestyle and encouraging recovery through staying active
- increased confidence in managing their injury and a focus on ability rather than disability
- minimising the risk of long-term disability, absence from the workplace and development of other health issues
- supporting participation, independence and social inclusion.

For employers:

- retention of staff experience and skills
- reduction of costs associated with work-related injury
- improved organisational health
- increased productivity
- improved employee morale
- demonstrated employer commitment to looking after their employees
- demonstrated employer compliance with legislative requirements to provide suitable employment.

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Roles and responsibilities

There are a number of key stakeholders in the rehabilitation process:

Rehabilitation Authority

The rehabilitation authority has statutory powers and functions for the rehabilitation process specified in the SRC Act. The rehabilitation authority is responsible for managing the return to work and health of an injured employee in consultation with

relevant stakeholders.

The rehabilitation authority must ensure that, in performing or exercising its functions or powers, it complies with Comcare guidelines issued under [section 41 of the SRC Act](#). The objective of the rehabilitation guidelines is to assist employers to develop an effective approach to the rehabilitation of employees, consistent with their obligations under the SRC Act.

Note: If an employee makes a request in writing for the rehabilitation authority to arrange an assessment of their ability to engage in a rehabilitation program, then the rehabilitation authority must arrange that assessment. A rehabilitation authority has obligations under the Act in supporting any injured employee who meets relevant criteria in sections 36 and 37 of the SRC Act. These obligations continue after the employee ceases employment, irrespective of the cause of separation (including invalidity retirement).

A rehabilitation authority's focus is to assist employees by:

- arranging early assessment of the employee's capability to undertake rehabilitation, particularly when an employee has sustained an injury and is likely to be away from work for more than 10 days
- developing, monitoring and closure of a rehabilitation program.
- accessing and monitoring the provision of rehabilitation services by a Workplace Rehabilitation Provider (WRP)
- ensuring the rehabilitation program is in line with the [return to work hierarchy](#).
- maintaining regular contact with the employee, supervisor, treating medical practitioners, and other health professionals as required
- ensuring ongoing consultation with the treating medical practitioner
- negotiating medically suitable return to work options such as [graduated return to work](#), work hardening, work trials, job placements, or redeployment
- ensuring the confidentiality of information about the employee.

When arranging a rehabilitation assessment under section 36 of the SRC Act, the rehabilitation authority must adhere to the provisions under the [Guide for Arranging Rehabilitation Assessments and Requiring Examinations](#).

You should ask for information if you believe the injured worker has failed to disclose any relevant employment or self-employment information. If you discover something that does not look right, feel right or when you receive information either from the employee or another source (employer, rehabilitation provider etc.) that is relevant and has the potential to impact the management of a claim, please refer to the ["Just Ask"](#) process.

Employee

Employees have rights and obligations in regard to their rehabilitation. The employee's obligations are to:

- report to the employer details of any accident, injury or disease that might be related to work
- provide the doctor or provider of treatment with an accurate description of how the injury occurred, or of the circumstances in which the condition became apparent
- provide Comcare with information or copies of documents that, Comcare considers relevant to the claim
- attend any rehabilitation assessment arranged by the rehabilitation authority, unless they have a reasonable excuse as to why they are unable to attend
- undertake the rehabilitation program provided by the rehabilitation authority, unless they have a reasonable excuse not to participate
- participate in any meetings arranged by the rehabilitation authority that relate to the rehabilitation assessment or rehabilitation program, and
- cooperate with the rehabilitation authority and Workplace Rehabilitation Provider (WRP) (where appropriate).

The injured employee's rights are to:

- have the rehabilitation authority **seek** and **take into account** their views on the selection of the medical practitioner or the panel members to conduct the rehabilitation assessment under section 36 of the Act
- be consulted in decisions about their rehabilitation assessment and program
- request a rehabilitation assessment under section 36 of the SRC Act once the claim is accepted
- access the employer's rehabilitation policy and to participate in its design or change, via their employee representatives
- request copies of documents held by Comcare and which relate to their rehabilitation program or claim under section 59 of the SRC Act, and
- request reconsideration by Comcare of any determination made by the rehabilitation authority.

Should the employee fail to participate in, or obstruct this process in any way without reasonable excuse, their entitlements to compensation may be suspended by the rehabilitation authority. For further guidance refer to the [Suspensions](#) page.

Workplace Rehabilitation Providers

Workplace Rehabilitation Provider (WRP) are an important resource for rehabilitation authorities as they assist returning employees to work by providing rehabilitation expertise. Any WRPs used in the rehabilitation process must be approved by

Comcare's Scheme Management Group. A list of approved WRPs can be found at the [Workplace Rehabilitation Providers directory](#).

Rehabilitation authorities expect WRPs to:

- deliver timely and cost-effective services
- conduct section 36 assessments in accordance with the operational standards if requested
- assist in the development and implementation of section 37 rehabilitation programs in accordance with the operational standards set by Comcare
- provide jargon free advice and consultation
- provide a prompt response to referrals and other requests
- communicate regularly with all stakeholders
- provide an objective service and
- ensure only members of staff who meet the Comcare training requirements provide services.

Medical Practitioners

The success of a rehabilitation program depends on the willing participation and cooperation of all stakeholders, including any treating medical practitioners.

The treating practitioners can participate in the rehabilitation program by:

- providing information about the employee's injury, current work capacity, any medical restrictions, their treatment program and likely recovery time frame
- evaluating three suitability of duties at the workplace
- working in conjunction with key stakeholders to develop the rehabilitation program, and
- providing reports containing further information to the agency and/or Comcare.

A rehabilitation program does not necessarily require a medical practitioner's approval. A program can be developed by using a rehabilitation assessment under section 36. However, if a treating practitioner does not approve of the program, this could provide the employee with a reasonable excuse not to participate in the rehabilitation program.

Claim Managers

Your role as the Claim Manager is to assist rehabilitation authorities with rehabilitation program management by:

- reviewing rehabilitation programs
- identifying cases requiring rehabilitation program intervention
- providing advice about the development of rehabilitation programs
- conducting high-cost claims reviews
- conducting reconsiderations of rehabilitation authority determinations upon request
- participating in case conferences, and
- actioning determinations and taking action, where appropriate, in the event of a failure to participate in rehabilitation program or obstruction of a program.

Injury Management Team

The Injury Management Team is the section within Comcare that provides assistance to you and rehabilitation authorities when claims are identified as being at risk of poor rehabilitation outcomes. It supports Comcare teams and assists rehabilitation authorities through:

- early intervention advice on potentially high-cost claims
- working with rehabilitation authorities to assist them with complying with any guidelines issued by Comcare
- collaboration in developing strategies for injury management performance
- identification and promotion of better practice for rehabilitation within Comcare's teams and the rehabilitation authority
- analysing rehabilitation performance and providing advice regarding products and services to help improve results
- providing advice on prevention and injury management issues
- attending case conferences, when requested, and
- participating in the review of claims against planned actions or programs.

For further assistance email the [Injury Management team](#)

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Reconsiderations and appeals

If an employee is dissatisfied with a determination made by the rehabilitation authority under section 36 or 37 in relation to a rehabilitation assessment or program, they can request a review by Comcare. For further guidance refer to the

[Reconsiderations](#) page. The employee's rights in relation to reconsiderations are outlined in section 38 and 62 of the SRC Act.

Rehabilitation where no incapacity is payable

Incapacity payments not being paid, or not presently being payable, does not automatically preclude rehabilitation assessments and programs under section 36 and 37 of the SRC Act.

Section 36 and 37 provide for rehabilitation where an employee has suffered an injury resulting in an incapacity for work or an impairment. That incapacity or impairment must relate to an accepted compensable injury. Incapacity can still exist even where there is no liability to make incapacity payments (for example, the employee has turned age 65).

A determination by Comcare that incapacity is not presently payable would usually suggest that there is no current incapacity or impairment to be rehabilitated. However, this may not always be the case. Rehabilitation authorities still need to consider sections 37(3)(a) – (h) of the SRC Act when determining any rehabilitation program. If you need further support for this type of scenario, discuss with an Injury Manager or your Assistant Director.

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Rehabilitation costs and cost codes

Comcare will pay for any section 36 and 37 rehabilitation costs determined by the rehabilitation authority. Comcare will pay for these costs from the date of injury, even if liability is subsequently declined. Where liability for a claim is declined, costs for rehabilitation, that have been authorised under sections 36 and 37, are payable up to the date the agency is advised that liability has been declined.

For rehabilitation service invoices to be paid, they must outline the relevant rehabilitation cost code on the invoice.

Refer to the procedure below on paying rehabilitation invoices on a claim where liability has been declined.

Payment of rehabilitation assessment costs (code 90 services)

Comcare is liable for all the costs associated with an assessment conducted under section 36 of the SRC Act. Payment includes fees associated with the provision of services by a Legally Qualified Medical Practitioner (LQMP) or a Workplace Rehabilitation Provider (WRP). A section 36 determination and [rehabilitation assessment examination form](#) should be completed by the rehabilitation authority and provided to Comcare. This form outlines the details of the service provider for the rehabilitation assessment and approved costs.

These costs are entered into Pracsys under the service item 90 code.

Travel costs for a rehabilitation assessment (code 90 services)

Under the SRC Act, an employee can receive reimbursement of expenses reasonably incurred when travelling for a rehabilitation assessment.

These costs are determined by the rehabilitation authority and paid under section 36(5) of the SRC Act.

These costs are entered into Pracsys under the service item 90 code.

Rehabilitation program services (code 92 services)

These are the costs associated with rehabilitation programs that have been determined under section 37 of the SRC Act. These costs are usually payable to the approved Workplace Rehabilitation Provider WRP that the rehabilitation authority has engaged to provide a rehabilitation program. Rehabilitation program services may include the following:

- management of return to work – this covers the coordination of the rehabilitation program including organising, monitoring and report writing
- liaison with the workplace and other stakeholders as appropriate, including case conferences
- job search activities - this includes working with the Rehabilitation Case Manager (RCM) and supervisor to identify and assess the range of jobs suitable for the employee within the workplace. It involves resume preparation, interview skills and negotiating job placement outside of the employer if required
- vocational counselling - this covers all aspects of vocationally directed counselling and should be of short duration. Working with the employee to develop a return-to-work program, preparation of the employee for return to work/working at a different workplace/non-return to work, etc. would be part of vocational counselling
- specialised assessments - includes functional capacity evaluations, cognitive assessments and driving assessments
- liaison with health providers - it is often necessary for a rehabilitation provider to attend appointments with medical practitioners to facilitate progression of the rehabilitation program.

These costs are determined under section 37 of the SRC Act.

These costs are entered into Pracsys under the service item 92 code.

Rehabilitation program support services (code 93 services)

The inclusion of return-to-work support services on a rehabilitation program supports the employee in reaching a sustainable return to work outcome.

In order for these services to be accurately captured in Pracsys, as relating to a section 37 rehabilitation program, the costs for code 93 services need to be paid for by the approved Workplace Rehabilitation Provider (WRP), and then Comcare reimburses that provider. Where the cost is significant, the employer (rather than the WRP) may make the payment and then Comcare will reimburse the employer.

The following are examples of the types of services that could be included under code 93:

- travel costs for the injured employee - this includes funding for travel on public transport or by taxi to enable participation in a rehabilitation program. It would be anticipated that this funding would only be provided if the employee was unable to travel by their usual means of transport, or if they were required to travel a significantly further distance than they would on their normal route to work in order to participate in the rehabilitation program
- interpreter services - this includes provision of services that enable active participation in the rehabilitation program

- external training - this includes course fees, tutoring costs and other associated expenses incurred when undertaking a course through an external institution. The appropriateness of a goal of redeployment should be evident in these cases (*Note: this does not include HECS fees as they are used for taxation purposes*)
- carer's costs - costs incurred by severely incapacitated employees in order to undertake reasonable social, recreational, community or disability related activities (e.g., admission tickets, travel etc.), that are not payable under attendant care or medical treatment, may be paid under section 37 of the SRC Act.

These costs are determined under section 37 of the SRC Act.

These costs are entered into Pracsys under the service item 93 code.

Rehabilitation provider travel (code 94 services)

This code is to be used for Workplace Rehabilitation Provider (WRP) travel.

For travel costs to be paid by Comcare, travel should be permitted under the service level agreement or contract between the WRP and the rehabilitation authority .

When invoicing Comcare, rehabilitation provider travel costs (code 94) should be itemised separately from other rehabilitation services.

Case conferences

Costs associated with doctor participation in a Return to Work (RTW) case conference are payable under the rehabilitation provisions of the SRC Act. Before payment can be made, you must have authority from the rehabilitation authority (the employer) to make payments. Often this authority will be provided on the rehabilitation program under section 37 of the SRC Act, where RTW case conferences will be included as an activity on the plan. However, where a rehabilitation program has not yet been developed, payments associated with RTW case conferencing can be made under section 36 (assessment of capability of undertaking a rehabilitation program). Authority to pay for case conferences under section 36 can be provided verbally or in writing by the Rehabilitation Case Manager (RCM). A copy of a recent section 36 referral to a Workplace Rehabilitation Provider (WRP) for a Rehabilitation Assessment is sufficient authority for payment under section 36.

When a doctor seeks payment from Comcare for a RTW case conference, the meeting must involve the medical practitioner, the employee and a minimum of one other key stakeholder (usually this will be the RCM or WRP, but could be Comcare).

The doctor is not required to state on the invoice who participated in the RTW case conference, however, it is expected the doctor will make a clinical note in the employee's medical record to demonstrate their participation and who attended. This information can be requested in a clinical note if necessary.

Comcare has advised GPs that we will pay for their participation in RTW case conferences in line with the Australian Medical Association (AMA) rates. However, the authority for payment of rehabilitation costs lies with the rehabilitation authority and the Rehabilitation Case Manager (RCM) may agree to pay a different rate for a doctors' participation in a case conference.

You may need to confirm with the Rehabilitation Case Manager if any other treating practitioner (i.e. physiotherapist, psychologist), attended the Case Conference and what cost the RCM has approved for their participation (*Note: normal discussions between an employee's GP and other treatment providers, in regards to the medical management of the employee, is not a RTW case conference and is not payable by Comcare*).

Rehabilitation forms

There are often a number of rehabilitation forms involved in a rehabilitation assessment and program:

- rehabilitation assessment/examination form
- rehabilitation program form
- rehabilitation program alteration form
- rehabilitation program closure record.

Each of these is detailed below.

With the implementation of the Workplace Rehabilitation Provider (WRP) portal, currently the rehabilitation program closure record can be completed through the portal.

Rehabilitation assessment/examination form

When a rehabilitation assessment is arranged by the rehabilitation authority, a [Rehabilitation Assessment/Examination](#) form must be completed. This form is used to provide relevant information to the person conducting the rehabilitation assessment. It includes a maximum amount of pre-approved costs for the provider to complete the assessment. The rehabilitation authority sends Comcare a copy of the form for their records. The CAIS team will input the details of the Rehabilitation referral into Pracsys and process relevant invoices.

Rehabilitation Program form

A rehabilitation program is a structured series of planned activities offered to an injured employee with the primary aim of returning them to their pre-injury health and employment. A [Rehabilitation Program](#) form is sent to Comcare by the rehabilitation authority. The CAIS team updates the rehabilitation details in Pracsys and any expenses are paid against the approved program.

Due to the limited space within a rehabilitation program form, sometimes a Rehabilitation Case Manager (RCM) or Workplace Rehabilitation Provider (WRP) will attach appendices to the form to provide additional detail. Any attachments to the rehabilitation program still form part of the determination.

Rehabilitation program alteration form

When it is determined that the original goal cannot be achieved within the time frame and/or costings of the original program but the goal has not changed a [Rehabilitation Program Alteration](#) may be developed. The Rehabilitation Alteration form may include changes to timeframes, costs or additional services. The CAIS team will input the details of the Rehabilitation Alteration into Pracsys and process relevant invoices.

Rehabilitation Program Closure Record

The [Rehabilitation Program Closure Record](#) notifies Comcare of the outcome of a rehabilitation program. Providing Comcare with closure information allows us to make accurate payments to providers and to monitor return to work outcomes across

the scheme. A Rehabilitation Program Closure record is usually sent to Comcare by the RCM or WRP. It may also be a form from the WRP Portal.

At times the WRP may send through a Closure Report. This is not the Rehabilitation Closure record. The Closure report provides detailed information regarding what has happened during the program and the outcome, it is useful for both the Rehabilitation Case Manager (RCM) and the Claims Manager (CM) to see what has occurred during the program. This report DOES NOT provide the specific information CAIS needs to close off the program.

If you notice that the Rehabilitation Program Closure Form is on file and has not been processed, please forward details of the form (including claim number and folio) to the [Rehabilitation enquiries team](#)

The CAIS team updates the rehabilitation program closure details in Pracsys, updates the work status code and processes any final expenses against the program.

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Payment of rehabilitation costs on a claim where liability has been declined

Comcare encourages rehabilitation authorities to commence rehabilitation under the SRC Act as soon as possible following an injury.

Comcare will pay for section 36 and 37 rehabilitation costs incurred from the date of injury even if liability is subsequently rejected. Costs will be reimbursed up to the date the rehabilitation authority is notified that liability is rejected. There is no provision for Comcare to pay for these costs after the rehabilitation authority has been advised of the rejection of liability.

Paying rehabilitation invoices on a claim where liability has been declined

To pay rehabilitation invoices on a claim where the liability has been declined, follow the steps below (*Note: before paying any invoices, you will need to know the date that liability for the claim was declined*):

Step 1: Review rehabilitation receipts in Pracsys

Pracsys will automatically create a notification titled 'Receipt Rehabilitation'. This occurs after liability for a claim has been declined in Pracsys.

Step 2: Review outstanding items in Pracsys

Go to '*Manage Diaries*' (MD) to review outstanding items and select a claim. Items can be sorted by claim category i.e., '*Receipt Rehabilitation*' (*Note: Any outstanding items should be reviewed two times per week (at a minimum)*).

Step 3: Verify payment of invoices in Pracsys

Open the claim that corresponds with the diary – see Step 2:

- select '*Manage Claim*' (MC)
- enter the claim number
- open '*Managing Claim Information*'
- verify invoice item
- review invoices to identify if a part payment is being made.

To accept payment for these invoices:

- highlight the line item
- select '*Next*'
- select '*Verify*'
- select '*Back*' which returns you to your list of invoices/line items
- repeat this process until all line items have been verified (*Note: the Line-item status will change from 'Waiting' to 'Verified'*).

Step 4: Phone the Rehabilitation Case Manager

Advise the Rehabilitation Case Manager that Comcare is only able to pay for rehabilitation provider costs on claims that have had liability declined, up to the date the employer was notified by phone of the decision.

Step 5: Close claim

If there is no active reconsideration or Administrative Appeals Tribunal matter, the claim can be closed. For further guidance refer to the [Closing a claim](#) page.

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