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NOTICE TO APPROVED MEDICAL SPECIALISTS
Changes relating to special evaluations for common law assessments
on or after 12 October 2020

As a result of recent legislative amendments, the termination day that applies to a worker's claim for common law damages will no longer apply from 12 October 2020. This change affects AMS assessments relating to termination day extensions and special evaluations.

From 12 October 2020 AMS will no longer be required to provide an opinion on Form AMS 8 for the purpose of recommending an extension of a worker's termination day.

This change does not impact on the requirement for a worker's condition to have stabilised before an assessment of the worker's degree of permanent whole of person impairment can be done. However, there are changes that impact on when a special evaluation can be done for common law purposes.

Disregard sections 1.57 and 1.58 of the *WorkCover WA Guidelines for the Evaluation of Permanent Impairment (Fourth Edition)*, about when a special evaluation for common law purposes can be done.

From 12 October 2020 a special evaluation can be done if, after the period of 18 months from the date the worker made a workers' compensation claim, an AMS certifies the worker's condition has not stabilised sufficiently for a normal evaluation to be done. The claim date can be verified by checking the date on the workers' compensation claim form (in the box – 'date employer received the completed claim form').

Form AMS 8 and the Guidance Notes for AMS have been updated to reflect these changes. The *WorkCover WA Guidelines for the Evaluation of Permanent Impairment (Fourth Edition)* will be updated when reviewed as part of the development of the new statute currently underway.

CHRIS WHITE
CHIEF EXECUTIVE OFFICER

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