

Miscellaneous Expenses Compensation

The Bill provides for uncapped miscellaneous expenses compensation which will be extended to include first aid and emergency transport costs (currently part of the capped medical entitlement) and the same small number of expenses provided for in the current Act.

Key Points

Bill ref: Part 2 Division 5

- Miscellaneous expenses compensation is additional to medical and health expenses compensation.
- Miscellaneous expenses is the label given to the following entitlements which are distinguishable from medical and health expenses because there is no aggregate limit on these expenses (as there is for medical and health expenses):
 - first aid and emergency transport
 - a wheelchair or similar appliance
 - a surgical appliance or artificial limb
 - repair or replacement of clothing damaged or destroyed
 - repair or replacement of an artificial aid damaged or destroyed
 - travel
 - assessment of degree of permanent impairment.
- The key change from the current Act, as recommended in the Final Report, is to include first aid and emergency transportation as a miscellaneous expense. The result is that any costs incurred for ambulance or air transportation services would not be included in the worker's medical and health expenses general limit.

Key Points

- It must be reasonably necessary for the worker to incur the miscellaneous expense and the amount of the expense must be reasonable.
- Regulations may apply a limit on the amount payable for provision of a wheelchair or similar appliance, and the rate of travel expenses (consistent with the current Act).

Questions & Answers

Q. Is an employer liable to pay for the cost of an assessment of a worker's degree of permanent impairment?

A. Yes. Under the current Act an employer is liable to pay the cost of the first impairment assessment for common law purposes only. This limitation has been removed so that the first assessment for any purpose is payable, which means the cost of an assessment for the worker to access permanent impairment compensation is now also payable.

Q. What is the effect of the change to include first aid and emergency transport as a miscellaneous expense?

A. Emergency transport costs can be very high if a worker is transported via air ambulance, and can comprise a significant portion of the capped medical entitlement under the current Act. In the Bill, first aid and emergency transportation costs are payable as a miscellaneous expense and therefore do not count towards a worker's capped medical and health expenses entitlement.