

## Workplace Rehabilitation

The Bill provides workplace rehabilitation as a form of compensation and provides for the approval and regulation of workplace rehabilitation providers.

### Key Points

Bill ref: Part 3 Division 4, cl. 93 - 96, 568, 569

- The Bill retains the status of workplace rehabilitation expenses as a form of compensation.
- An employer will be liable for workplace rehabilitation expenses provided by an approved workplace rehabilitation provider where it is reasonably necessary to access those services. Circumstances where it is reasonably necessary to provide workplace rehabilitation will be set out in regulations.
- The workplace rehabilitation expenses limit is 7%, or greater percentage, if any, prescribed by regulations, of the general maximum amount (clause 538). This equates to the same amount payable under the current Act (currently 7% of the prescribed amount).
- The Bill introduces a revised framework for the approval and regulation of workplace rehabilitation providers. Regulations will address when workplace rehabilitation services should be provided, services that can be provided, and the process for selecting, engaging or changing providers.
- A scale of fees for workplace rehabilitation providers will be set by Ministerial order with flexibility to set fees by outcome, service provided, time spent providing the service, or other criteria (or some combination of these).

### Questions & Answers

**Q. How will the new provisions impact on workplace rehabilitation programs in place when the new Act commences?**

**A.** Current programs will not be affected. Savings and transitional provisions preserve workplace rehabilitation programs in operation when the new Act commences.

**Q. Will approved workplace rehabilitation providers need to seek re-approval under the new framework?**

**A.** No. Savings and transitional provisions provide that a person approved as a workplace rehabilitation provider under the current Act is taken to be approved under the new Act. Providers approved under the current Act will still be subject to the approval criteria, conditions, performance monitoring and fee orders in the new Act.