

## Senate Community Affairs Legislation Committee

### BUDGET ESTIMATES – 5-6 JUNE 2014 ANSWER TO QUESTION ON NOTICE

#### Department of Human Services

**Topic:** Ms Katherine Excell – Purpose of Rehabilitation

**Question reference number:** HS 92

**Senator:** Bilyk

**Type of question:** Written

**Date set by the committee for the return of answer:** 25 July 2014

**Number of pages:** 2

#### **Question:**

In an email from Ms Excell's then Rehabilitation Case Manager, Robin Lewis, to Lesley Morrison of Comcare, Ms Lewis said she explained to Ms Excell that "Comcare rehabilitation is an occupational rehabilitation model with a goal of return to work".

Ms Lewis also sent an email to two other Department employees which said "Our involvement as the Rehabilitation Authority continues to be limited given Ms Excell is not in a position to commence occupational rehabilitation".

Another email dated 10 February 2012 from Ms Lewis states "I have been trying to get hold of Tony and Katrina Schramko for a bit of guidance on this issue of cost as I know their hope was for a limited program." and "Personally, I don't think this is the time to look like we are limiting the program but I would be very happy to take any advice or guidance on this".

Comcare's website provides "For those workers who have been significantly injured, improving their level of independence is Comcare's primary aim."

According to the Commonwealth Occupational Health and Safety Manual the aim of rehabilitation is to restore an injured individual to "their fullest physical, psychological, social and vocational capabilities."

- a) Does the Department accept that the goal of rehabilitation is to restore an employee's health and independence and not just necessarily to return them to work?
- b) Does the Department accept that it has a duty to rehabilitate an injured employee even if that employee has no prospect of returning to work?

#### **Answer:**

- a) The Department of Human Services provides rehabilitation services in accordance with the Guidelines for Rehabilitation Authorities 2012 issued by Comcare and effective from 1 July 2012.

The previous Rehabilitation Guidelines for Employers 2005, which were in operation at the relevant time, stated that "Rehabilitation is focussed on being workplace-based and aimed at maintaining the injured employee within the workplace or returning them to appropriate employment in a timely, safe and cost efficient manner."

From 1 July 2012 the new Guidelines for Rehabilitation Authorities 2012 provided for rehabilitation programmes to include a focus on maintaining or improving the performance of activities of daily living and social aspects.

- b) In accordance with the Guidelines for Rehabilitation Authorities 2012, since 1 July 2012 the Department of Human Services can provide rehabilitation programmes, where the programme goal is to maintain or improve a person's social status and to improve the performance activities of daily living. Rehabilitation programmes are developed with the guidance of a Medical Assessor and/or a Comcare Approved Rehabilitation Provider. The decision to provide a rehabilitation programme is made by the department and is reviewable, in accordance with the provisions of the *Safety Rehabilitation and Compensation Act 1988*.