

**Senate Community Affairs Committee**

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

**Supplementary Budget Estimates 2015 - 2016, 21 October 2015**

**Ref No:** SQ15-000958

**OUTCOME:** 3 - Access to Medical and Dental Services

**Topic:** Health and Other Services (Compensation) Act

**Type of Question:** Hansard Page 30, 21 October 2015

**Senator:** Siewert, Rachel

**Question:**

What about childhood victims of assault that may get some level of compensation?

**Answer:**

The purpose of the Health and Other Services Compensation Act 1995 (the HOSC Act) is to ensure that successful claimants for compensation who receive a component of a settlement/judgment for medical expenses, where these expenses have already been met by the Commonwealth under Medicare, repay the Medicare benefits. The HOSC Act does not require a claimant to pay back more than the total value of the settlement, and does not require any repayment of Commonwealth funds if the judgment or settlement is less than \$5000.

The recovery of commonwealth funds covers medical care expenses incurred which are directly related to an injury for which the claimant has sought compensation. Once the claim is settled, the compensation payer has a responsibility under the HOSC Act to repay the Commonwealth any money paid on his or her behalf prior to the judgment or settlement for any medical expenses.

The Department of Human Services manages the recovery of Medicare payments and collects data on notifiable cases. Notifiable cases under the HOSC Act are identified in broad categories such as common law, motor vehicle, public liability, workers compensation etc. Child abuse cases are generally reported under the common law category.