

REFERRAL FOR MEDICAL ASSESSMENT



Injured workers who have applied to the Workers Compensation Commission to have a dispute resolved may be referred for medical assessment.

Referral for medical assessment

If you have been asked to go for a medical assessment, you will be examined by one of the Workers Compensation Commission's Approved Medical Specialists.

The President of the Commission appoints the Commission's Approved Medical Specialists. They are all highly experienced and will provide an independent and unbiased opinion about your medical condition/injury.

Disputes regarding the degree of permanent impairment will be referred directly to an Approved Medical Specialist by the Registrar. You will have an opportunity to choose the Approved Medical Specialist in agreement with the other party/ies. But if you fail to agree, the Approved Medical Specialist will be chosen by the Registrar.

If there is a dispute about liability or obligation to pay for permanent impairment, this will be determined by an Arbitrator. Once the Arbitrator has made a determination, the dispute will then be referred by the Registrar to an Approved Medical Specialist regarding the degree of permanent impairment.

You may be referred for medical assessment by an Arbitrator if he or she wants to obtain a general medical opinion from an Approved Medical Specialist before determining your dispute.

Attending an assessment

The Commission will advise you in writing of the date, time and location of the medical assessment.

If you fail to attend an assessment, then your rights to receive compensation for the injury, or to receive weekly payments, can be suspended until the examination has taken place and you may also be charged a non-attendance fee.

The examination will normally take place at the doctor's rooms. You may take a companion with you, but this person should be a relative or friend. Your companion is there to give you support but cannot give comments or evidence to the specialist during the examination or otherwise disrupt the assessment in any way.

The Commission will organise and pay for an interpreter to attend the examination if you have requested this service in your application.

About the assessment

The Approved Medical Specialist may be asked to assess you to find out:

- What injury or medical condition you have (including the prognosis, cause of your condition, and the treatment proposed or provided)

- Your fitness for employment
- The degree of permanent impairment as a result of an injury
- Whether any proportion of permanent impairment is due to any previous injury or pre-existing condition or abnormality, and the extent of that proportion
- The nature and extent of loss of hearing
- Whether impairment is permanent
- Whether the degree of permanent impairment is fully determinable.

The examination will be an independent assessment of your injury so that an impartial report can be prepared.

The Approved Medical Specialist may also review your medical records, including X-rays and other test results.

How long will the medical assessment take?

If you have a complex medical history the assessment may take an hour or more but many examinations are completed in less time.

It is important that you are honest and straightforward when you answer the Approved Medical Specialist's questions, even if you think the questions are not related to your injury or condition. If the specialist asks you a question that you do not want to answer, then you can say so. However, this may be mentioned in the medical report.

What happens after the assessment?

At the end of the examination, the Approved Medical Specialist will issue a Medical Assessment Certificate, which is sent to the Commission. The Commission will then send a copy to all parties.

Some decisions of Approved Medical Specialists may be appealed. For more information about appealing a medical assessment, refer to our brochure on *Medical Appeals*, the *WorkCover Medical Assessment Guidelines* and the Registrar's *Guideline – Appeal Against Medical Assessment*. These are available on our website or by contacting the Commission.

For more information

More information about the Workers Compensation Commission dispute resolution process is available on the Commission's website.

The information in this brochure is not legal advice. If you need legal advice about lodging or responding a dispute application, you need to talk with a solicitor. If you do not have a solicitor, you can contact the Law Society of NSW for referral to a solicitor by phoning:

- (02) 9926 0300 (if you live in Sydney), or
- 1 800 422 713 (if you live outside Sydney).

How to contact us

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All enquiries: 1300 368 040

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