

Workers Compensation and Injury Management Act 2003 – Implementation Consultation Paper 6 – Injury Management Return to Work

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EXERCISE & SPORTS SCIENCE AUSTRALIA (ESSA) SUBMISSION

**RE: WORKERS COMPENSATION AND INJURY MANAGEMENT ACT 2003 –
IMPLEMENTATION CONSULTATION – INJURY MANAGEMENT RETURN TO WORK**

Workcover WA

Dear Manager Policy and Legislative Services

Thank you for the opportunity to provide feedback in relation to the WorkCover WA, Workers Compensation and Injury Management Act 2003 – Implementation consultation – Injury Management Return to work consultation paper 6.

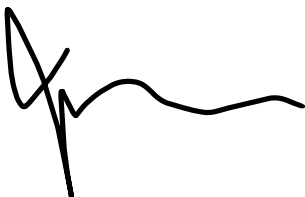
Exercise & Sports Science Australia (ESSA) is the peak professional association for exercise and sports science professionals in Australia, representing more than 11,000 members comprising university qualified Accredited Exercise Physiologists, Accredited Sports Scientists, Accredited High-Performance Managers and Accredited Exercise Scientists.

The Injury Management Return to Work consultation paper 6 case conferencing list of attendees currently excludes allied health professionals. Accredited Exercise Physiologists (AEPs) deliver services in many compensable schemes where they have access to case conferencing item codes. This includes Medicare, and Workers Compensation Schemes in Victoria and NSW. AEPs are a vital part of interdisciplinary teams of allied health professionals. Their knowledge and expertise are essential for achieving a successful outcome, and their absence could lead to suboptimal results.

This submission will contend that the participation of allied health professionals such as AEPs in return-to-work case conferencing is crucial for achieving positive outcomes. It is essential to rectify the current exclusion and include them in the list of authorised attendees.

Please contact ESSA Senior Policy & Advocacy Advisor, Jacintha Victor John at Policy@essa.org.au for further information or questions arising from the following submission.

Yours sincerely



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1.0 ABOUT ACCREDITED EXERCISE PHYSIOLOGISTS

Accredited Exercise Physiologists (AEPs) are at least four-year university degree qualified allied health professionals. They provide services to people across the full health spectrum, from the healthy population through to those at risk of developing a health condition, people with physical and mental health conditions, a disability, and aged related illnesses and conditions, including chronic, complex conditions [1]. Exercise physiology services are recognised by Australian compensable schemes including Medicare, the National Disability Insurance Scheme (NDIS), the Department of Veteran Affairs (DVA), workers' compensation schemes and most private health insurers.

2.0 SUMMARY OF RECOMMENDATIONS

Recommendation 1: WorkCover WA should explicitly include treating accredited health professionals, exercise physiologists, physiotherapists, and occupational therapists in the list of attendees for case conferences on page 4.

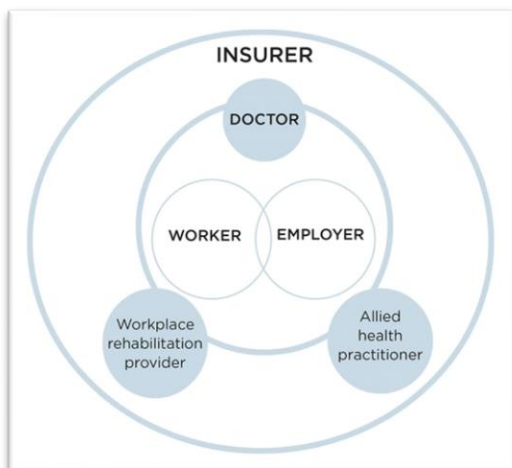
3.0 CASE CONFERENCING – PROPOSED CHANGE

ESSA supports modernising the WA Workers Compensation Law to structure the content and redraft the Act using contemporary drafting. Case conferencing involves a multidisciplinary service team. The purpose of a return-to-work case conference is to bring together, in a collaborative setting, the injured worker, their treating health practitioner, the agent, occupational rehabilitation consultant and, where appropriate, the employer, to support recovery and return to work goals. The 5 key principles for effective case conferences are to:

- Actively involve all interested participants to improve outcomes.
- Empower the employee to be at the centre of their recovery at work.
- Focus on outcomes to optimise an employee's function, recovery and participation.
- Ensure rehabilitation and recovery at work is based on the best available information.
- Adopt a biopsychosocial model.

Allied health professionals have an important role in the workers compensation scheme in WA. They are engaged to provide specialised expertise to access a worker's capacity and any barriers to recovery at work and to provide evidence-based treatment with a focus on return to work to optimise worker recovery. This includes building patient rapport and addressing biopsychosocial issues, which positively influence return-to-work programs and client outcomes. Success for an injured worker to return to work depends on the integration of sound clinical, workplace and insurance claims management, as well as agreement across the team about the worker's goals and progress.

The following diagram highlights the members of the support team [2].



Allied health professionals such as exercise physiologists are active participants in case conferencing in other schemes, including but not limited to: MBS [3], WorkSafe Victoria [4], and NSW Workers Compensation Scheme [5].

ESSA proposes the following change to Consultation Paper 6: Injury Management and Return to Work (refer to page 4).

The following persons may attend and participate in return-to-work case conferences:

- The worker and any support person (union, legal representative, authorised agent, family member, carer).
- The employer and the employer's insurer.
- The worker's treating medical practitioner.
- An approved WRP.
- **Treating allied health professionals (accredited exercise physiologist, physiotherapist, and/or occupational therapist).**

The purpose of including Allied Health Providers on this list is to obtain feedback on injured worker's current capacities and restrictions while conducting an exercise-based program. This feedback will help in identifying any necessary modifications to the workplace or work equipment. The attendance of an Allied Health Provider in this meeting would only be at the request of an employer or insurer, the treating medical practitioner, or an approved WRP.

The proposed changes align with WorkCover WA expectations to include all parties involved in a return to work, case conference. The aim is to involve all parties related to a return to work, ensuring that they collaborate in good faith and use the conference for its intended purpose, which is to support the worker's recovery and help them return to work.

Allied health practitioners play a crucial role in enhancing health and facilitating a successful return to work for workers, especially during the initial stages following an injury. Therefore, it is essential to include this group of professionals in the list of attendees for case conferencing.

An important aspect of return to work is establishing the functional limitations for the return-to-work program and the associated medical certificate restrictions. The treating allied health professional is well placed to support all parties, assist in recommendations for these documents, and support the worker in overcoming any functional barriers identified during the case conference.

Recommendation: WorkCover WA should include treating accredited health professionals, exercise physiologists, physiotherapists, and occupational therapists in the list of attendees for case conferences on page 4.

References

1. ESSA. *Accredited Exercise Physiologist Scope of Practice*. 2021 [cited 2023 1/11]; Available from: https://www.essa.org.au/Public/Public/Professional_Standards/ESSA_Scope_of_Practice_documents.a.spx.
2. NSW, S. *Workers Compensation Guide for Allied Health Practitioners* 2021 [cited 2023 7/12]; Available from: <https://www.sira.nsw.gov.au/resources-library/workers-compensation-resources/publications/health-professionals-for-workers-compensation/workers-compensation-guide-for-allied-health-practitioners>
3. DOHA. *Medicare Benefits Schedule - Item 735*. 2023 [cited 2023 7/12]; Available from: <https://www9.health.gov.au/mbs/fullDisplay.cfm?type=item&q=735>.
4. VIC, W. *Return to Work Case Conference. The recovery and return to work of an injured worker may benefit from a return to work case conference*. 2022 [cited 2023 7/12]; Available from: <https://www.worksafe.vic.gov.au/return-work-case-conferences>.
5. SIRA. *Accredited Exercise Physiology Fees and Practice Requirements*. [cited 2023 7/12]; Available from: https://www.sira.nsw.gov.au/_data/assets/pdf_file/0009/1094139/Accredited-Exercise-Physiology-fees-and-practice-requirements-2022.pdf.