

Miscellaneous Expenses Compensation

The *Workers Compensation and Injury Management Act 2023 (the WCIMA23)* provides for uncapped miscellaneous expenses compensation which also covers first aid and emergency transport costs.

Key Points

Act ref: Part 2 Division 5 Reg ref: Part 4 Division 4

- Miscellaneous expenses compensation is in addition to medical and health expenses compensation.
- Miscellaneous expenses are distinguishable from medical and health expenses because there is no aggregate limit on these expenses (as there is for medical and health expenses). Miscellaneous expenses include:
 - first aid and emergency transport
 - a wheelchair or similar appliance
 - a surgical appliance or artificial limb
 - repair or replacement of clothing damaged or destroyed
 - repair or replacement of an artificial aid damaged or destroyed
 - travel
 - assessment of degree of permanent impairment.
- Any costs incurred for ambulance or air transportation services are miscellaneous expenses and not included in the worker's medical and health expenses general limit.

Key Points

- It must be reasonably necessary for the worker to incur the miscellaneous expense and the amount of the expense must be reasonable.
- The *Workers Compensation and Injury Management Regulations 2024 (the WCIMR24)* set the limit on the amount payable for provision of a wheelchair or similar appliance, and travel expenses.

Questions & Answers

Q. Is an employer liable to pay for the cost of an assessment of a worker's degree of permanent impairment?

A. Yes. The cost of the first APIA assessment is payable as a miscellaneous expense, regardless of the purpose of the assessment.

Q. What is the effect of including first aid and emergency transport as a miscellaneous expense?

A. Emergency transport costs can be significant if a worker is transported via air ambulance. In the *WCIMA23*, first aid and emergency transportation costs are payable as a miscellaneous expense and do not count towards a worker's capped medical and health expenses compensation entitlement.