

## Workplace Rehabilitation

The *Workers Compensation and Injury Management Act 2023 (WCIMA23)* provides for compensation related to workplace rehabilitation services and for the approval and regulation of workplace rehabilitation providers.

### Key Points

Act ref: Part 3 Division 4, ss. 93 - 96, 569, 570 Reg ref: regs 36-39, 86, 87

- Workplace rehabilitation expenses are a form of compensation.
- An employer will be liable for workplace rehabilitation expenses provided by an approved workplace rehabilitation provider where it is reasonably necessary. Circumstances where it is reasonably necessary to provide workplace rehabilitation are set out in regulation 36 of the *Workers Compensation and Injury Management Regulations 2024 (WCIMR24)*.
- The workplace rehabilitation expenses limit is 7% of the general maximum amount (s. 538).
- The *WCIMA23* sets out the revised framework for approval and regulation of workplace rehabilitation providers and the *WCIMR24* address when workplace rehabilitation services should be provided, services that can be provided, and the process for selecting and engaging providers.
- A scale of fees for workplace rehabilitation providers has been set by Ministerial Fee Order.
- A worker has the right to choose an approved workplace rehabilitation provider.

### Questions & Answers

**Q. How are workplace rehabilitation programs in place on 1 July 2024 affected when the *WCIMA23* commenced operation?**

**A.** Savings and transitional provisions preserve workplace rehabilitation programs in operation on 1 July 2024.

**Q. Will approved workplace rehabilitation providers need to seek re-approval under the new framework?**

**A.** No. Savings and transitional provisions provide that a person approved as a workplace rehabilitation provider under the 1981 Act is taken to be approved under the *WCIMA23* and is subject to the approval criteria, conditions, performance monitoring and fee orders in the *WCIMA23*.