

25 November 2024

Introduction of the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Act 2024

The Training Course Management Committee (TCMC) routinely creates and distributes communication to keep accredited practitioners updated with the most recent developments in impairment assessment. These encompass a variety of subjects, including updates in laws, recent court decisions, optimal practices for impairment evaluation, and helpful hints for practitioners.

The purpose of the communication is to update practitioners who have completed the Core Module prior to the implementation of the **Victorian Government legislative change regarding an Injured Workers Secondary Entitlement Period for WorkSafe Victoria.**

Existing Legislative Thresholds – per Core Module presentation

Impairment	WPI Threshold
Musculoskeletal Physical Impairments	5% or greater
Other Physical Impairments	10% or greater
Psychiatric Impairment (not secondary to physical injury)	30% or greater

* Optional Common Law Gateway – 30% or greater (Physical impairment combined with psychiatric impairment)

Following the introduction of the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Act 2024, **additional Legislative Threshold has been added as below:**

An Impairment assessment may also be utilised in determining a Workers ongoing entitlement to weekly payments beyond 130 weeks.

- ➔ Entitlement periods are used in Victoria’s workers compensation legislation to describe different periods a Worker receives weekly payments. The first entitlement period – the first 13 weeks of weekly payments. The second entitlement period – a period of no more than 117 weeks (whether consecutive or not) after the end of the first entitlement period. That is, weekly payments from week 14 up to week 130.
- ➔ Criteria to meet to keep receiving weekly payments after 130 weeks. Following a Secondary Entitlement Review (SER) – must have a Whole Person Impairment of 21% or greater (either physical or non-secondary psychiatric impairment, not combined) & no work capacity likely to continue indefinitely.
- ➔ If an impairment is not stable, you may be asked to provide an assessment of the current level of impairment (baseline assessment).

Who can provide these assessments?

- ➔ Following accreditation in the PIEF Ministerial approved training course, you are accredited to provide Impairment assessments in Victoria. The above WPI% thresholds relate to the impairment assessment that you are accredited to provide.
- ➔ There is no change to what is required from you in performing an Impairment assessment report.
- ➔ However, If you are also a WorkSafe Victoria approved IME, you may also receive requests to provide an opinion on the work capacity aspect in the Secondary Entitlement process.

If you wish to access any previously issued communication/newsletters, please visit the Impairment Assessment Training Website at <https://iatraining.com.au/newsletter/>