



Australian Government

Comcare

## FAQS—AIDS AND APPLIANCES

### 1. UNDER WHICH SECTION OF THE SAFETY, REHABILITATION AND COMPENSATION ACT 1988 (SRC ACT) ARE AIDS AND APPLIANCE REQUESTED – S. 37, S. 39 OR S. 16?

'Aids and appliances' is the term used for equipment that may be required to assist an employee with a workplace injury or disease.

Comcare regards *Aids and appliances* as either:

- a. Medical treatment, surgical supplies or curative apparatus; or
- b. Rehabilitation aids and appliances.

#### a. Medical treatment aids, surgical supplies or curative apparatus

A Doctor, Physiotherapist or other recognised treatment provider (under s. 16 of *the SRC Act 1988*) most commonly prescribes these items. It is considered a '*medical/surgical supply, curative apparatus, or artificial limb or other similar aid or appliance*'. These are all items that directly assist employees with their physical or body functions.

#### b. A rehabilitation aid or appliance (as determined under s. 39 of *the SRC Act 1988*) is an item that assists the employee with a workplace injury or disease to perform basic home or work functions such as:

- > grooming, dressing, personal hygiene, sleeping
- > eating, food preparation
- > communication
- > mobility
- > maintaining correct posture.

*Rehabilitation aids or appliances* will only be approved if an employee with a workplace injury or disease has commenced a rehabilitation program, has completed a rehabilitation program, or a determination has been made that a rehabilitation program is not required.

In some cases it may be appropriate to approve the provision of a *rehabilitation aid or appliance* as an alternative to claiming home help or attendant care services.



The Rehabilitation Authority has the delegation to approve a *rehabilitation aid or appliance* on a rehabilitation program (s. 37 *the SRC Act 1988*). In this case, the *aid or appliance* is paid for by the Rehabilitation Provider who seeks reimbursement from Comcare. Although the Rehabilitation Case Manager (RCM) has the delegation to approve the *aid or appliance* under s. 37 (Rehabilitation Program) it is generally recommended the RCM ensure this is the most cost effective way to supply *aid or appliance*. The cost of the item will become a rehabilitation cost and will ultimately be applied to the agency's premium calculation. It is recommended the points listed under s. 39 (2) (see below) be considered when approving the purchase, especially the length of time *aid or appliance* will be required and whether there are alternatives to purchasing the item, such as rental.

A *rehabilitation aid or appliance* paid for under s. 37 or s. 39 of *the SRC Act 1988* becomes the property of the employee. If the worker separates from the agency they are eligible to take the item with them. If the item is not likely to be used by the employee on separation and is likely to be useful to other employees it may be worth the agency considering the purchase of the item out of their own budget.

### Section 39

- (2) *The matters to which the relevant authority shall have regard in determining the amount of compensation payable in a particular case under subsection (1) include such of the following matters as are relevant in that case:*
- (a) *the likely period during which the alteration, modification, aid or appliance will be required*
  - (b) *any difficulties faced by the employee in gaining access to, or enjoying reasonable freedom of movement in, his or her place of residence or work*
  - (c) *any difficulties faced by the employee in gaining access to, driving or enjoying freedom and safety of movement in, a vehicle used by the employee*
  - (d) *any alternative means of transport available to the employee*
  - (e) *whether arrangements can be made for hiring the relevant aid or appliance*
  - (f) *when the employee has previously received compensation under this section in respect of an alteration of his or her place of residence or a modification of a vehicle and has later disposed of that place of residence or vehicle—whether the value of that place of residence or vehicle was increased as a result of the alteration or modification.*

For more information and how to arrange purchase of a *rehabilitation aid or appliance* refer to the [Aids and Appliances fact sheet](#) or see [Aids and Appliances](#) on the Comcare website.

## **2. WHO PAYS FOR EQUIPMENT REQUIRED IN THE WORKPLACE? WHEN IT IS REASONABLE FOR AN EMPLOYER TO PROVIDE OFFICE EQUIPMENT REQUIRED BY AN EMPLOYEE E.G. DESK, DRAGON SOFTWARE/TRAINING?**

An item requested for use in the workplace by an employee with a workplace injury or disease must be specific to the injury and outside of the normal items that an employer would generally provide. Under *the WHS Act 2011*, Employers have a duty of care for an employee which includes providing the appropriate equipment for employees to carry out their work tasks safely.

It is therefore reasonable for the employer to provide items where reasonably required such as:

- > adjustable office chair
- > footrest
- > document holder
- > wrist-rest
- > angled writing boards
- > a keyboard and mouse

An employer-purchased item remains the property of the agency. It is usually less expensive for the employer to arrange the purchase rather than a third party. An employer may also have taxation concessions available.

When an item is approved for payment under s. 37 or s. 39 of *the SRC Act 1988*, this item remains the property of the individual even if they leave the agency or other employment.

Where a rehabilitation provider has recommended a specialised piece of equipment, a report, written by a suitably qualified person, should be submitted to the Case Manager. This report should clearly outline reasons for recommending the equipment. If the request for funding is directed to the Comcare Claims Manager, it should be accompanied by the form *Application for Aids and Appliances*, with the Case Manager's agreement. This is located in the Rehabilitation Handbook for Case Managers (Appendix E). *This handbook is currently being redeveloped. Please contact the Injury Management Advisory Service at [IMAS.help@comcare.gov.au](mailto:IMAS.help@comcare.gov.au) or call Comcare on 1300 366 979 and ask to speak with an injury management advisor if you need further information or guidance on maintaining injured employees at work or achieving an early, safe and durable return to work.*