



Australian Government

Comcare

## FAQS—GENERAL

### 1. WHEN CAN COMCARE DEEM THE EMPLOYEE AN ABILITY TO EARN?

'Deeming' is a complex provision within *the SRC Act 1988*. In some circumstances Comcare may be able to determine an ability to earn on an employee's claim. For more information on this please contact your Claims Manager or their supervisor to discuss whether a case would meet the legislative requirements for such an action.

In general, an employee cannot be deemed as having an ability to earn unless they have failed to meet specific rehabilitation obligations placed on them. These obligations should be clearly articulated in the employee's rehabilitation program and they must be given a reasonable opportunity to comply with these obligations before Comcare's Claims Manager could consider deeming an ability to earn.

### 2. CAN I GET HELP FROM COMCARE WITH A STRATEGY FOR REHABILITATION?

To develop a strategy for rehabilitation for either an individual claim or for a broader strategy for the department please contact the Injury Management Advisory Service (IMAS) at [IMAS.help@comcare.gov.au](mailto:IMAS.help@comcare.gov.au) or call 1300 366979.