



Australian Government

Comcare

Rehabilitation assessment examination

Under section 36 of the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act)

Determination

Determination under subsections 36(1) and 36(3) of the SRC Act.

As you

an employee, have suffered an injury on / /

resulting in an incapacity for work or an impairment, I (holding a delegation under section 41A of the SRC Act) have arranged an assessment of your capability to undertake a rehabilitation program under subsection 36(1). I have determined under subsection 36(3) of the SRC Act that you are required to attend an examination for the purposes of that assessment.

In deciding whether to make this determination, I have complied with the requirements under subsection 36(3A) of the SRC Act and Part 1 of Schedule 1 of the Guide for Arranging Rehabilitation Assessments and Requiring Examinations 2024.

Information considered

I have considered existing rehabilitation information available and, where applicable, taken into account your circumstances, change in circumstances and relevant matters specified in the Guidelines for Rehabilitation Authorities.

Existing information reviewed: [list reports/summary of information viewed and, if applicable, case file reference]

I sought information from your treating practitioner on / /

Name of practitioner

Summary of information provided by your treating practitioner and, if applicable, case file reference

I sought your views and the reason for your views about:

- the selection of the assessor(s) who will conduct this examination
- whether you require a support person to attend all or part of the examination and,
- any other matter relevant to the decision to require you to undergo the examination.

Date views were sought / /

Summary of employee views and, if applicable, case file reference

Reasons for making this determination

My reasons for relying/not relying on the information provided by your treating practitioner are:

My reasons for accepting/not accepting your views are:

Details of the assessment and examination

The assessment and examination will be carried out by:

- a legally qualified medical practitioner
- a suitably qualified person (other than a medical practitioner) or
- a panel comprising legally qualified medical practitioner(s) or other suitably qualified persons (or both).

Names of assessor(s)

Name of provider organisation(s)

The assessment and examination will be on / /

If the date of the examination is less than 6 months from the last examination, this is because: [Add reasons for examination occurring within the minimum interval period if applicable]

Assessor(s)/provider contact details are provided below.

Signature of delegate

Date

Name

Organisation

Position

If you are not satisfied with this determination, you may request a reconsideration by Comcare. Please see 'What if I don't agree with a determination made by the delegate?' in the 'Notice of rights and responsibilities'.

Information for employees

About the assessment

A rehabilitation examination forms part of the assessment. It takes place with your participation and usually in consultation with your treating medical practitioner and supervisor. It may include a review of your workplace to identify any reasonable adjustments that need to be made, or work practices which need to be changed to help you to get back to work quickly and safely.

Comcare will pay any reasonable costs you incur in attending this rehabilitation examination. Please forward tax invoice receipts to Comcare.

What happens after the assessment?

After the assessment, the assessor(s) will give your Rehabilitation Case Manager a written assessment about your capability of undertaking a rehabilitation program. You (or your treating practitioner) will receive a copy. If a rehabilitation program is required, the assessment might include details of the kind of program and information about how the rehabilitation program is to be provided. It will outline what you must do to assist your recovery and return to suitable work. It will also state who is responsible for the various steps in the program and include a date for completion.

If a rehabilitation program is required under section 37 of the SRC Act your Rehabilitation Case Manager must develop this program in consultation with you. This may involve discussion with your treating medical practitioner, supervisor and an approved Workplace Rehabilitation Provider (WRP), if one has been engaged.

If a rehabilitation program is not required, your Rehabilitation Case Manager will advise you about the next steps in relation to your rehabilitation and return to work.

Privacy information

Your privacy is important to us. For information about how we handle your personal information, please visit www.comcare.gov.au/privacy or contact us on 1300 366 979 and request a copy of our Privacy Policy.

What if I want copies of documents held on my files?

You can write to Comcare requesting the documents you need held by Comcare. Email general.enquiries@comcare.gov.au.

Requests for information held by your employer or WRP should be directed to them.

Notice of rights and responsibilities

What is a determination?

A determination is a decision. In this case, it is a decision made under section 36 of the SRC Act, that you attend an examination as part of your assessment for rehabilitation.

What if I don't agree with a determination made by the delegate?

If you do not agree with the determination made by the delegate (usually the Rehabilitation Case Manager) you may ask Comcare to reconsider the determination that you undertake a rehabilitation assessment examination.

You must make the request within 30 days of receiving the determination. For information about how to request a reconsideration, see [Applying for a reconsideration of a determination](#).

Where to send the information

Mail:

Reconsideration and Appeals Comcare
GPO Box 9905
Canberra ACT 2601

Email: Team.Reconsiderations@comcare.gov.au

30-day time limit

If you are unable to put your request to Comcare within 30 days, you may apply for an extension of time. For more information see [Applying for a reconsideration of a determination](#).

What happens after I make a request for a reconsideration?

Your employer will receive a copy of your request for reconsideration and may provide a response to Comcare. Comcare will consider the available information and will decide to affirm, revoke or vary the determination.

What if I do not undergo the assessment examination?

If you refuse or fail, without reasonable excuse, to undergo or in any way obstruct an assessment examination, your rights to compensation entitlements under the SRC Act (excluding medical treatment costs), and your right to institute or continue any proceedings under the SRC Act will be suspended until the assessment examination takes place (see subsection 36(4) of the SRC Act). This means you cannot claim compensation entitlements (excluding medical treatment costs) for the period of that suspension. Your compensation entitlements for this period will not be reimbursed even if the suspension is lifted and your rights to full compensation entitlements are reinstated.

More information

If you need any further information about your rights or other specific issues, please contact Comcare on 1300 366 979. You can also make an online enquiry or access resources via the Comcare website www.comcare.gov.au.

You can provide feedback or raise concerns about your workplace rehabilitation provider to Comcare at wrp.management@comcare.gov.au or call us on 1300 366 979.



Rehabilitation assessment examination referral

Under section 36 of the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act)

Referral(s) information

Assessor(s)—Name of organisation and address

State	Postcode

Assessor(s) name(s)

Phone number	()
Fax number	()

Employee—Name and address

State	Postcode

Date of birth

/	/	
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Sex

Male Female

Home contact

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Work contact

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Interpreter required?

Language

No Yes ▶

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Support person attending? No Yes

Treating medical practitioner—Name and address

State	Postcode

Employer—Name of organisation/agency and address

State	Postcode

Supervisor—Name

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Phone number

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Employee's current employment status with this employer

Ongoing Full-time Casual (irregular/intermittent)
 Non-ongoing Part-time Not employed
 Is the employee currently at work? No Yes

Employee's current job title

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Rehabilitation Case Manager—Name

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Phone number

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Fax number

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Comcare claim details

Claim number

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Liability for compensation determined?

Yes No

(Please read 'Costs' below.)

Nature of injury

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Assessment services requested

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Rehabilitation Assessment/Examination Appointment Details:

For an examination with a legally qualified medical practitioner, the date of appointment is 14 days or more from determination date unless otherwise agreed by employee.

Date

/	/	
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Time

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Venue address

State	Postcode

Phone number

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The assessment provider will contact you shortly to arrange a time, date and location for your rehabilitation assessment examination.

Costs

Comcare will pay the cost of an examination provided under subsection 36(3) where liability for a claim is accepted. When liability for a claim is denied by Comcare under section 14 of the SRC Act, compensation is not payable for any rehabilitation costs incurred by the employer from the date that determination is made. If the employer has undertaken rehabilitation under the SRC Act, prior to a determination of liability being issued, then rehabilitation costs incurred up to the date liability has been denied will be reimbursed by Comcare.

Authorised assessment costs

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ATTACHMENTS

Medical release authority Existing medical information

DISTRIBUTION

Employee Case Manager Provider Supervisor Comcare Medical practitioner