



Australian Government

Comcare

INFORMATION REGARDING YOUR ATTENDANCE AT A MEDICAL CENTRE

Please read the following important information carefully, as it sets out your rights and obligations in relation to your examination.

COLLECTION, USE AND DISCLOSURE

Comcare is authorised by the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act) to collect personal information relevant to an employee's claim for the purposes of managing the compensation claim and for the management of the employee's rehabilitation and the discharge of other functions and use of other powers under the SRC Act.

For those purposes, Comcare may need to collect from and use and disclose your personal information to the following parties:

- > your employer at the date of your injury, your current employer and any subsequent employer
- > your superannuation fund manager or trustee
- > any health professional, hospitals, other health institutions, or service providers related to your claim
- > your case manager
- > your rehabilitation provider
- > vocational and functional assessor
- > employment agencies
- > legal advisors and law enforcement authorities
- > personnel engaged by Comcare to conduct research related activities
- > the Safety, Rehabilitation and Compensation Commission
- > Comcare fraud investigators
- > inspectors appointed under section 156 of the *Work Health and Safety Act 2011*
- > any relevant third party (or insurer) considered by Comcare to have contributed to the injury, illness or impairment
- > any other person assisting Comcare in the performance of its functions or exercise of its powers
- > any other entity where there is a legal obligation to do so (for example, but not limited to, responding to the direction of a Court to produce documentation)

Comcare will only collect, use or disclose your personal information in accordance with its obligations under the *Privacy Act 1988*.

For more information call 1300 366 979 or visit our website at www.comcare.gov.au.

You may be requested to sign an authority/consent form by the medical provider. By signing this form, you will be providing your consent for the provider to collect, store, use and disclose your personal information for the purpose(s) stated in their authority.

Your consent on the medical provider's authority form is separate to the consent and authorisation you gave us when you submitted your claim for compensation.

The medical provider can tell you about their privacy policy.

MEDICAL EXAMINATIONS

We have made an appointment for you to be examined by a legally qualified medical practitioner who is an expert in treating your type of injury or illness. The medical practitioner will give us a report with an independent assessment about the nature of your condition, the treatment you may require or the type of work (if any) you may be able to undertake.

DO I NEED TO ATTEND THE EXAMINATION?

You must attend this examination as you have made a claim for compensation and we need you to undergo an examination by one legally qualified medical practitioner as part of the compensation claim.

Reference to 'one' practitioner means one practitioner at a time. We may need you to undergo more than one examination by the same practitioner or by a different practitioner.

WHAT RIGHTS AND OBLIGATIONS DO I HAVE?

Your rights

If you disagree with the Claims Manager's determination that you need to undergo a medical examination, you may request a reconsideration of the determination.

If you disagree with the reconsideration of the determination, you may ask for a review at the Administrative Appeals Tribunal.

Your obligations

You need to attend the examination as it has been determined that the examination is required for Comcare to assess and determine your claim. You must not obstruct it in any way.

If you do not attend the examination and do not have a reasonable excuse, or you obstruct the examination, your compensation entitlements may be suspended. Your right to start or continue proceedings under the SRC Act may be affected until the examination takes place.

WHY DO I NEED TO ATTEND A MEDICAL EXAMINATION?

Comcare only asks you to attend a medical examination when we have exhausted all other methods of obtaining the medical information we need to assess and determine your claim. This may be because:

- > we do not have sufficient information on your claim file about your medical condition to make a decision
- > we have tried to obtain the information we need from your treating medical practitioners but we have not been able to obtain this information or in sufficient detail to make a decision
- > you have not attended a medical examination in the last six months and we have not been able to obtain the medical information we need in other ways.

WHO CHOOSES THE MEDICAL EXAMINER?

Comcare will offer you the opportunity to choose a medical examiner for your examination. Wherever possible, we will book an appointment with your chosen medical examiner. The examiner must:

- > have the appropriate qualifications, experience and specialisation to be able to provide good information on your medical condition
- > be available to conduct the examination in a timely manner and provide a written report within seven days
- > have a fee structure that is appropriate and reasonable.

If your preferred medical provider is unable to meet these requirements, we will select a medical provider to conduct the examination. We will carefully consider your individual circumstances in selecting an appropriate medical provider.

WHAT WILL HAPPEN AT THE EXAMINATION?

During the examination the practitioner will ask you a series of questions and will conduct a physical examination. After the examination has taken place, the medical practitioner will give us a report with their independent assessment of the nature of your condition.

The examination is likely to be thorough and professional, and the medical practitioner will not necessarily restrict the questions or examination to only the injured part of your body.

WHAT SHOULD I TAKE TO THE EXAMINATION?

If you have relevant x-rays, similar films and/or test results, please take them with you to the examination. If your treating doctor holds these films and/or test results, please advise the medical practitioner so that they can make arrangements to obtain and view them.

WHAT ABOUT THE COST OF THE EXAMINATION?

Comcare will meet the cost of the medical practitioner's report and fees for any tests you are requested to undergo. You can claim reimbursement for costs reasonably incurred in travelling to and from your appointment. If you need to travel from a remote location, we may also reimburse you for the costs reasonably incurred for accommodation and meals. Please contact us for more information regarding reimbursement of these costs.

WHEN SHOULD I GET TO THE EXAMINATION?

You are encouraged to allow plenty of time to get to the examination. If you are in any doubt about the location of the medical practitioner's rooms, please contact the medical practitioner or call us to get directions to the practice. If you arrive late to the examination, the medical practitioner may refuse to see you. In this circumstance, you will be regarded as having failed to attend the examination.

HOW LONG WILL THE EXAMINATION TAKE?

The examination may take as long as an hour and it is advised that there may be times when your appointment is delayed. With this in mind please allow extra waiting time and remain at the medical practitioner's rooms until you are called to be examined.

If the examination is delayed and you have waited for a considerable period of time and are unable to wait any longer, you must make arrangements with the medical practitioner's rooms for an alternative appointment. You must also contact us to tell us about the change in your appointment details.

Leaving the medical practitioner's rooms without having waited for a considerable period of time or without having made an alternative appointment may be considered refusal to undergo the examination and your rights to compensation may be suspended.

WHAT IF I AM UNABLE TO ATTEND THE EXAMINATION?

It is important you provide as much notice as possible if you can't attend the arranged appointment. If you are unable to attend, please let us know so alternative arrangements can be made. You must advise us and the medical practitioner why you are unable to attend.

WHAT IF I DO NOT ATTEND OR COOPERATE AT THE EXAMINATION?

As part of your claim assessment it is necessary to attend any medical examination we arrange for you. Failure to attend or not cooperating during the examination will result in your rights to compensation, and to institute or continue proceedings under the SRC Act, being suspended where a reasonable excuse has not been provided.

If your claim has not yet been determined, we will make a determination based on the medical evidence available on your claim file at the time.

MAY A FRIEND OR A RELATIVE ESCORT ME TO MY APPOINTMENT?

Yes you may be escorted if you need it for medical reasons. Please contact your Claims Manager to enquire as to whether you are entitled to claim any reimbursement for your escort's travel expenses.

MAY I TAKE A FRIEND OR A RELATIVE INTO THE EXAMINATION ROOM?

Before your appointment, please contact the medical practitioner to confirm if your escort is allowed into the examination room. Please note that the medical practitioner may ask questions of a personal or private nature so you may feel more comfortable for your companion to wait outside the examination room.

If your companion is permitted to be in the examination room, they must not interfere or obstruct the examination and should not attempt to answer questions asked by the medical practitioner.

CAN I BRING MY CHILDREN WITH ME?

We ask that you do not take children into the examination with you, as this may prevent both yourself and the medical practitioner giving full attention to the examination.

You should arrange care for your children well in advance of the examination. If it is unavoidable, and you must bring your children, you should arrange for another person to supervise them while you are in the examination. Please note that we can not reimburse you for child minding expenses.

If you do take your children into the examination, the examination may be cancelled. This may not be regarded as a reasonable excuse when considering whether you obstructed the examination and your rights to compensation could be suspended.

WHAT IF I NEED AN INTERPRETER?

If you need an interpreter at the examination, please let us know and we will make arrangements for a professional interpreter to attend. We will pay for the associated costs of this. It is not appropriate for a friend or family member to act as an interpreter.

DO I HAVE TO ATTEND ANOTHER EXAMINATION?

We may ask you to see another medical practitioner if necessary. We will not ask you to attend a medical examination more often than once every six months except in certain circumstances. These circumstances are:

- > if you do not undergo the examination or obstructs the examination
- > if you or your treating practitioner request an examination
- > if another medical practitioner has recommended a further examination or re-examination
- > if there has been a change in the 'employee's circumstances' as defined in section 4 of the Guide
- > if the injury requires multidisciplinary medical treatment (i.e. a complex case) and it is appropriate for Comcare to require the employee to undergo more than one examination, with a different medical practitioner
- > if the assessor fails, for any reason, to provide a written report
- > if a request for reconsideration of a determination is made but a reviewable decision in response to that request has not yet been made
- > if an application for review of a reviewable decision is made to the Administrative Appeals Tribunal (AAT) but a final decision has not yet been made.

If appointments by two separate medical practitioners are needed, we will attempt to arrange for them to be held on the same day to minimise disruption. You may also be asked to attend a follow up appointment with the medical practitioner after the examination. This will be made at least one month after the original examination.

WHAT IF I AM DISSATISFIED WITH THE CONDUCT OF THE EXAMINATION?

If you believe the medical practitioner has not conducted the examination in a professional manner, you can contact your Claims Manager, phone us on 1300 366 979 or submit a written complaint to us via our [online form](https://www.comcare.gov.au/about/contact/provide-feedback) (<https://www.comcare.gov.au/about/contact/provide-feedback>) or by emailing feedback@comcare.gov.au and we will investigate the matter.

HOW DO I CONTACT COMCARE OR THE DOCTOR?

You will find our contact details and the medical practitioner's contact details in the letter we sent you about your appointment details.

MORE INFORMATION

If you need more information about any of the details included in this information sheet, please visit the Comcare website www.comcare.gov.au/claims or contact your Claims Manager on 1300 366 979.

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.