

SIRA

Hearing Aid Fees and Practice Requirements

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1. Hearing service provider services and maximum fees

The information in Table 1 sets out legally binding requirements extracted from the *Workers Compensation (Hearing Aid Fees) Order 2024* (Fees Order), the *Workers Compensation Guidelines* (WC Guidelines) and the *Guidelines for the Provision of Relevant Services (Health and Related Services)* (Service Provider Guidelines). The Fees Order¹, WC Guidelines² and the Service Provider Guidelines³ are the ultimate source of your legal obligations. The full text of the Fees Order, the WC Guidelines and the Service Provider Guidelines can be accessed using the links and references provided at the bottom of this page.

The maximum fees in this table apply to services provided on or after 1 February 2024. The related injury may have been received before, on or after this date. The maximum fees apply to treatment of exempt workers and to injured workers receiving treatment outside of NSW.

Table 1: Maximum fees for Hearing Service Provider services

Hearing Item	Service description	Maximum amount (excl GST)
AID004	Hearing needs assessment – Audiologist	\$237.70
AID005	Hearing needs assessment – Audiometrist	\$195.90
AID006	Supply of hearing aid/s (including remote control and charger if required) ‘Supply includes the: <ul style="list-style-type: none"> • ordering and delivery of the aid/s to the Hearing Service Provider, and • provision of a 30-day trial of the aid by the worker and • supply of batteries and consumables for the first 12 months. 	Cost price of hearing aid/s, including remote control, charger, batteries and consumables to maximum of \$2500.00 per aid
AID007	Hearing aid/s accessories Note: does not include remote control or charger.	Cost price, including postage/freight to the provider.

¹ *Workers Compensation (Hearing Aid Fees) Order 2024*, Government Gazette of the State of New South Wales, Number 7 – Other, of Friday 12 January 2024, p. 50-54; https://gazette.legislation.nsw.gov.au/so/download.w3p?id=Gazette_2024_2024-7.pdf

² Part 4: *Compensation for medical, hospital, and rehabilitation expenses*, Workers Compensation Guidelines, SIRA, March 2021: <https://www.sira.nsw.gov.au/workers-compensation-claims-guide/legislation-and-regulatory-instruments/guidelines/workers-compensation-guidelines#part-4>

³ *The Guidelines for the Provision of Relevant Services (Health and Related Services)*: <https://www.sira.nsw.gov.au/fraud-and-regulation/new-regulation-for-health-and-related-services-in-workers-compensation-and-ctp-schemes/guidelines-for-the-provision-of-relevant-services-health-and-related-services>

AID008	<p>Handling fee for hearing aid/s (monaural or binaural) and accessories, payable upon supply of hearing aid/s and accessories.</p> <p>Note: only one handling fee is billable per hearing aid/s at the time of supply whether they are supplied with accessories or not. The handling fee is not applicable once the hearing aid/s are supplied or for requests of accessories only.</p>	\$349.70
AID009 (in person)	<p>Fitting of device</p> <p>A fitting fee is payable upon supply of hearing aid/s (monaural or binaural). This fee covers:</p> <ul style="list-style-type: none"> fitting of the hearing aid/s and assessment that the device is suited to the worker instructions and education on use of the device and accessories, tailored to the needs of the worker provision of a device management plan outlining life expectancy, warranty, service recommendations, emergency support availability and battery requirements including the need for a charger if appropriate. <p>Note: Only one fitting fee is billable per hearing aid/s whether it be provided in person or via telehealth.</p>	\$686.90
AID309 (telehealth)		
AID010 (in person)	<p>Hearing rehabilitation</p> <p>Assess, plan and deliver tailored best practice hearing rehabilitation for the worker, encompassing all necessary education, hearing rehabilitation and counselling to facilitate effective hearing and for the worker to achieve their communication goals.</p>	\$686.90
AID310 (telehealth)		
AID011	<p>New batteries/consumables</p> <p>12 months' supply of hearing aid/s battery and consumables, as requested by the worker.</p> <p>Note: Cannot be supplied until 12 months after the initial supply of the hearing aid/s.</p>	\$141.60 per hearing aid
AID012	<p>Hearing aid/s review/minor maintenance</p> <p>Audiological services provided for hearing aid/s adjustment, maintenance and rehabilitation for optimal use.</p> <p>Note: Cannot be supplied until 12 months after the initial fitting of the hearing aid.</p>	\$42.90 / 15 mins (Maximum 1 hour)
AID013	<p>Hearing aid repairs by manufacturer</p> <p>Note: Payable only if a copy of manufacturer's invoice for repairs is provided.</p>	Up to \$461.50

2. Understanding this document

This document is intended to provide easily accessible information on fees, billing and approval processes and other practice requirements and guidance in the NSW workers compensation scheme, drawn together from multiple sources into a single document. It is anticipated this will make administration of billing, approval processes and practice requirements easier for insurers and providers and reduce the potential for billing and coding errors.

This document refers to legally binding requirements imposed by the:

- *Workers Compensation Act 1987* (1987 Act)
- *Workplace Injury Management and Workers Compensation Act 1998* (1998 Act)
- *Workers Compensation Guidelines* (WC Guidelines)
- *Workers Compensation Guidelines for the approval of hearing service providers 2022* (Hearing Guidelines)
- *Workers Compensation (Hearing Aid Fees) Order 2024* (Fees Order)
- *State Insurance and Care Governance Act 2015* (SICG Act)
- *State Insurance and Care Governance Regulation 2021* (SICG Regulation)
- *Guidelines for the Provision of Relevant Services (Health and Related Services)* (Service Provider Guidelines).

The requirements are reproduced here for your convenience. This document also includes best practice guidance from SIRA.

The legislation, Fees Order and guidelines set out above are the ultimate source of your legal obligations. The words 'must', 'required' (and variations of that word) or 'mandatory' indicate a legal requirement that must be complied with. The words 'should' or 'is expected' indicate recommended best practice.

2.1. Insurer pre-approval

Insurer pre-approval is required for all hearing services, except for the initial hearing needs assessment where:

- the hearing service provider is approved by SIRA and the nominated treating doctor has referred the worker to an ear, nose and throat medical specialist, to assess if the hearing loss is work-related and, if applicable, the percentage of binaural hearing loss.

3. Practice requirements for hearing service providers

To give or provide a treatment or service to a worker in NSW, a hearing service provider as defined in Part 7 of this document must be approved by SIRA.

3.1. Hearing needs assessment

The hearing needs assessment and report is to include:

- worker's clinical history
- hearing assessment as per Australian/New Zealand Standard 1269.4:2014
- determination of worker's communication goals
- recommendation of hearing aid/s (with clinical rationale) and hearing aid accessories (where required)
- rehabilitation plan.

3.2. Hearing rehabilitation

Hearing rehabilitation involves the assessment, planning and delivery of tailored best practice hearing rehabilitation for the worker, encompassing all necessary education, hearing rehabilitation

and counselling to facilitate effective hearing and for the worker to achieve their communication goals.

3.3. Hearing accessories

Hearing aid accessories supplement the use of a hearing aid and may be indicated to supplement the use of a hearing aid to assist listening, communication and functioning in different environments. The hearing service provider should provide the insurer with clinical justification to explain why a hearing accessory may be indicated and how it meets the worker's hearing goal.

3.4. Treating exempt workers

Exempt workers include police officers, paramedics and firefighters, coal miners and volunteers prescribed by the *Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987*.

Exempt workers are not required to use SIRA-approved hearing service providers.

There is no requirement for exempt workers to seek pre-approval from their employer's insurer for treatment. However, the exempt workers are to be made aware that payment of treatment and services for exempt workers will be assessed by insurers based on whether the treatment or service is required because of the injury and is considered reasonably necessary and on the provision of properly verified costs.

3.5. Service provision via telehealth

Part 2 of the Service Provider Guidelines requires that hearing service providers must provide telehealth services:

- in combination with in-person services unless the services are pre-approved by the insurer managing the injured person's claim for delivery exclusively by telehealth.
- by videoconference unless it is unavailable. Email, SMS, or an app may only be used in conjunction with the delivery of telehealth via videoconference.

The Service Provider Guidelines also require that you must only provide telehealth services to an injured worker if:

- the injured worker requests or consents to participate in a telehealth service, and
- the hearing service provider determines that telehealth is appropriate for the injured worker concerned following consideration of the following factors:
 - ✓ whether a physical assessment or treatment is required
 - ✓ whether it will compromise worker outcomes
 - ✓ availability of support at the injured worker's location
 - ✓ availability and access to a suitable device e.g., videoconferencing units/systems or a personal device capable of videoconferencing
 - ✓ ability of the injured worker to participate, considering any physical, mental, social, and cognitive barriers
 - ✓ ability to schedule telehealth session within the timeframes for a service
 - ✓ the injured person's access to fast secure internet connection and sufficient internet or mobile data quota/allowance
 - ✓ the injured person's capability/capacity to access care this way.

4. Requirements for payment of fees

4.1. The fees in Table 1 are maximum fees

You must not charge more than the maximum fees stated in this document and gazetted in the Fees Order. You may charge a lower fee.

The maximum fees apply even if the treatment is provided outside of NSW for workers entitled to compensation under the 1987 Act.

The employer/insurer is not liable to pay the cost of treatment in excess of the maximum fees set by SIRA and may seek to recover any fees in excess of the maximum fee that have been paid to a hearing service provider.

Insurers may set their own fee limits for services to workers. These must not exceed the maximum fees in the Fees Order.

Workers are not liable for the cost of treatment covered by the Fees Order. The employer (and/or their insurer) is liable to pay these fees.

4.2. Circumstances in which fees will not be paid

A hearing service provider must not:

- request pre-payment of fees for reports and services from the insurer
- charge a fee for cancellation or non-attendance by an injured worker for treatment services
- directly bill relevant services to an injured worker who has a claim
- charge the injured person any additional or gap fee.

The employer/insurer is not liable to pay for treatment or services that are provided by a hearing service provider who is suspended or disqualified from practice, or if the hearing service provider's registration is limited or subject to any condition imposed as a result of a disciplinary process.

5. Penalties for non-compliance

SIRA and insurers will monitor compliance with billing and payments rules:

- the incorrect use of any item referred to in the Fees Order may result in the service provider being required to repay payments that have been incorrectly received.
- failure to comply with a provision of the workers compensation legislation, including the WC Guidelines and the Fees Order, or the Service Provider Guidelines, may result in the provider being given a direction by SIRA. Non-compliance with the direction given is an offence and may result in SIRA pursuing a prosecution or penalty notice.
- the workers compensation legislation provides for criminal penalties for a person who:
 - commits fraud on the workers compensation legislation (s 235A of the 1998 Act) or
 - knowingly makes a false or misleading statement relating to a claim (s 235C of the 1998 Act).
- SIRA also reserves the right to refer misconduct to the relevant professional body or the Health Care Complaints Commission.

6. How to invoice

6.1. What information must I include on invoices?

To enable consistent data collection from service providers and insurers and ensure accurate payments, certain information must be included on invoices. An example invoice is included below to assist providers and insurers. Invoices for relevant services rendered must include:

- ✓ the injured worker's first and last name, and claim number
- ✓ payee name, address, telephone number and email address
- ✓ payee Australian Business Number (ABN)
- ✓ name of the relevant service provider who delivered the relevant service
- ✓ relevant SIRA payment classification code
- ✓ service cost for each SIRA payment classification code
- ✓ date of service
- ✓ date of invoice (must be on the day of or after last date of service listed on the invoice).

Invoices must be submitted within 30 calendar days of the service being provided.

6.1.1. Example invoice format:

Company Name XXXXX
ABN: XXXXXX
SIRA approval number: [where appropriate]
XXXXX

INVOICE NUMBER: XXXX
INVOICE DATE: XXXX

[Insert payee details: Name
Street address
City, STATE/TERR, Postcode
Email address]

[To:
Insert insurer name
Street address
City, STATE/TERR, Postcode]

[For:
Worker: Insert first and last name
Claim number: Insert worker's claim number]

SIRA PAYMENT CLASSIFICATION CODE	SERVICE DESCRIPTION	NAME OF PRACTITIONER	DATE OF SERVICE	SERVICE DURATION	AMOUNT
AID004	Hearing needs assessment - audiologist	John Smith	10/02/2024		\$237.70
TOTAL					\$237.70

6.2. How is GST applied?

Maximum fees for treatments listed in Part 1 do not include GST. An amount fixed by this Order may be increased by the amount of any GST payable in respect of the service to which the cost relates, and the cost so increased is taken to be the amount fixed by this Order. This clause does not permit a hearing service provider to charge or recover more than the amount of GST payable in respect of the service to which the cost relates.

6.3. When do I submit an invoice?

Invoices must be submitted within 30 calendar days of the service being provided.

7. Definitions

In this guide:

Audiologist is a university graduate with tertiary qualifications in audiology who specialises in the assessment, prevention and non-medical management of hearing impairment and associated disorders of communication. An audiologist is required to be an Audiology Australia Accredited Audiologist or full/ordinary member of the Australian College of Audiology (ACAud).

Audiometrist holds a qualification from a registered training organisation such as TAFE NSW followed by on-the-job training. An audiometrist also specialises in the non-medical assessment

and management of communication difficulties caused by hearing loss. An audiometrist is required to be a full/ordinary member or be eligible for full/ordinary membership of the Australian College of Audiology (ACAud) or full/ordinary membership of the Hearing Aid Audiology Society of Australia (HAASA).

Audiology Entity is a registered business or company that provides reasonably necessary medical or related treatment (hearing services) as a result of a work-related hearing loss.

Cost price means the price that a store or business pays for goods that are bought directly from the supplier. This is different to 'retail price' which is charged to consumers.

Exempt worker refers to specific classes of workers set out in Part 19H of Schedule 6 of the 1987 Act for which most of the amendments made to the Workers Compensation Acts in 2012 and 2015 do not apply. These classes of workers include police officers, paramedics, fire fighters, coal miners and volunteers prescribed by the *Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987*.

GST means the Goods and Services Tax payable under the GST Law.

GST Law has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth.

Hearing aid is a non-implantable electronic instrument designed and manufactured to provide amplification for people with a hearing loss.

Hearing service provider refers to an Audiology entity appropriately qualified to provide treatment and supply hearing aids to injured workers.

Insurer means the employer's workers compensation insurer.

Relevant service has the same meaning given in s26A of the *State Insurance and Care Governance Act 2015* and means a service prescribed by the regulations provided in connection with a claim under the workers compensation and motor accidents legislation.

Treatment provided interstate: A treatment provider does not require SIRA approval under the Guidelines to deliver treatment to a worker in the NSW compensation scheme where:

- the treatment provider practises exclusively outside of NSW and provides services in practices only outside of NSW; and
- the NSW worker is living outside of NSW.

Disclaimer

This publication may contain information that relates to the regulation of workers compensation insurance, motor accident compulsory third party (CTP) insurance and home building compensation in NSW. This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals, or as a substitute for legal advice.

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