

WORKERS COMPENSATION (MESSAGE THERAPY FEES) ORDER 2024

under the

Workers Compensation Act 1987

I, Adam Dent, Chief Executive, State Insurance Regulatory Authority, make the following Order pursuant to section 61(2) of the *Workers Compensation Act 1987*.

Dated this 9th day of January 2024



Adam Dent
Chief Executive
State Insurance Regulatory Authority

Explanatory Note

Treatment by a “masseur” is medical or related treatment under the *Workers Compensation Act 1987* (the Act). For the purposes of this Order, the term “masseur” is interchangeable with “Massage Therapist”. This Order sets the maximum fees for which an employer is liable under the Act for any Massage Therapy services provided to an injured worker. For clarity, this Order applies to an exempt worker or a worker receiving treatment outside of NSW under the Act.

A Massage Therapist cannot bill for services set out in Schedule A in excess of the maximum fee. Recovery may be sought for fees charged in excess of the maximum amount.

This Order provides that Massage Therapists must seek pre-approval for treatment services from the relevant workers compensation Insurer unless a specific service is exempt from pre-approval by the Act or the Authority’s *Workers Compensation Guidelines*.

Workers Compensation (Massage Therapy Fees) Order 2024

1. Name of Order

This Order is the *Workers Compensation (Massage Therapy Fees) Order 2024*.

2. Commencement

This Order commences on 1 February 2024.

3. Definitions

In this Order:

the Act means the *Workers Compensation Act 1987*.

the Authority means the State Insurance Regulatory Authority as constituted under section 17 of the *State Insurance and Care Governance Act 2015*.

Allied Health Treatment Request means the form used to request prior approval for treatment and services and to communicate to the Insurer about a worker’s treatment, timeframes and anticipated outcomes.

Consultation and treatment includes:

- history taking

- assessment/re-assessment
- tailored goal setting and treatment planning
- setting expectations of recovery and return to work
- treatment/service
- clinical recording
- communication with referrer, Insurer and other relevant parties, and
- preparation of an Allied Health Treatment Request when indicated.

This definition applies to a service provided on a one-to-one basis with the worker for the entire session.

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.

Insurer means the employer's workers compensation insurer.

Massage Therapist means any person providing Massage Therapy services. For the purposes of this Order, the term "masseur" is interchangeable with "Massage Therapist".

Massage Therapy services refers to treatment services limited to soft tissue massage targeting specific musculoskeletal injuries delivered by a Massage Therapist. Each service is to be billed according to Schedule A.

4. Application of Order

This Order applies to treatment provided on or after 1 February 2024, whether it relates to an injury received before, on or after that date.

5. Maximum fees for Massage Therapy services

The maximum fee amount for which an employer is liable under the Act for treatment of a worker by a Massage Therapist, being treatment of a type specified in Column 1 of Schedule A to this Order, is the corresponding amount specified in Column 2 of that Schedule.

6. Treatment provider number

The service provider number to be used is INT0000 and the payment classification code is the code that is relevant to NSW Massage Therapists, as defined in Schedule A in the column headed "**Item**" of this Order.

7. Goods and Services Tax (GST)

- (1) Massage Therapy services are subject to GST.
- (2) An amount fixed by this Order is exclusive of 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 Massage Therapist to charge or recover more than the amount of GST payable in respect of the service to which the cost relates.

SCHEDULE A

Maximum fees for Massage Therapy services

Item	Column 1 Type of Treatment	Column 2 Maximum Amount (excl GST)
RMA001	Consultation and treatment (60 minutes duration)	\$91.90
RMA002	Consultation and treatment (45 minutes duration)	\$68.90
RMA003	Consultation and treatment (30 minutes duration)	\$46.20
WCO005	<p>Fees for providing copies of clinical notes and records.</p> <p>A Massage Therapist/practice should not provide or bill for hard copy clinical records if they are maintained electronically.</p> <p>Fees are inclusive of postage and handling.</p>	<p>Where clinical records are maintained electronically by a Massage Therapist/practice, a flat fee of \$65.30 is payable (for provision of all requested clinical records held by the practice).</p> <p>Where clinical records are not maintained electronically, the maximum fee for providing hard copies of clinical records is \$41.40 (for 33 pages or less) and an additional \$1.40 per page if more than 33 pages.</p>