



## Emerging Issues

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16 May 2018



# Emerging issues

## Section 39

- > “Not MMI” MACs – what’s next?
- > Backpay where cessation of payments followed by resumption
- > Insurer delays in IME examinations
- > Workers residing overseas – s53 ‘Award’, s39
- > Primary psychological injuries pre 1/1/2002 – not compensable by way of s66 lump sum – what about s39?
- > Access to Centrelink benefits if s39 cessation
- > Threat of legal action over advice given

# Emerging issues

## CTP v workers compensation

- > s3.35 *Motor Accidents Injuries Act 2017*: No statutory benefits if workers compensation payable

## Funding issues

- > Funding threshold issues: s59A, s32A - Is >20% WPI the new black?
- > Supreme Court Appeals
- > Clinical notes
- > Non-compliance with Fee Orders by medical practices
- > No response to claim (NRTC) access to insurers



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