



Change to provisional liability in SA

Since the implementation of provisional liability on 1 January 2009, WorkCover SA has monitored its operation and has identified a number of changes that will refine the provisional liability process.

Provisional liability allows an organisation to provisionally pay weekly compensation for up to 13 weeks and/or medical expenses up to \$5000 (indexed) where there is a delay in obtaining information to determine liability on a claim.

What are the changes?

Workers will now seek compensation by submitting a Claim form and WorkCover Medical Certificate.

Employers' Mutual's first priority on receipt of the claim is to commence making weekly payments of income maintenance to the injured worker as quickly as possible.

- If this can be achieved by determining the claim then that is the priority: but
- If making provisional payments would lead to the injured worker receiving payments earlier, then that is the priority unless one of the reasonable excuses within the Provisional Payment Guidelines applies.

If weekly payments have commenced initially under provisional liability, a determination must be subsequently made on every claim.

Next Series of Steps

- The new provisional liability model commenced on 1 July 2009.
- From 1 July, updated Provisional Payment Guidelines, revised Claim Form and the supporting notices will be implemented. Employers' Mutual has updated case management procedures and staff training to reflect the changes.
- WorkCover will be making determinations on all claims lodged since 1 January 2009, if this has not already occurred.

SA Income Maintenance Reimbursement Slip under review.

WorkCover SA is currently reviewing the income Maintenance Reimbursement Slip used by employers to claim income maintenance from WorkCover or Employers Mutual, where they have continued to directly pay the worker.

The main change to the form is that it now asks employers to provide details of worker incapacity and compensation claimed on a weekly basis referenced as "pay week." The purpose of this change is to improve accuracy and make the process simpler for the employer.

WorkCover SA is currently collecting feedback on the changes from various stakeholders, before implementing the revised form.