

Australian Capital Territory

# Lifetime Care and Support (Catastrophic Injuries) Guidelines (No 3)

Disallowable instrument DI2014–204

made under the

**Lifetime Care and Support (Catastrophic Injuries) Act 2014, section 93 (Making of Guidelines)**

## EXPLANATORY STATEMENT

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These are the first LTCS Guidelines made under the *Lifetime Care and Support (Catastrophic Injuries) Act 2014* (LTCS Act) with the LTCS Scheme commencing on 1 July 2014.

Section 93 of the LTCS Act allows the Lifetime Care and Support Commissioner of the Australian Capital Territory (LTCS Commissioner) to make Guidelines.

The LTCS Act has been modelled on the NSW *Motor Accidents (Lifetime Care and Support) Act 2006*. In order to provide consistent treatment and care for persons catastrophically injured in motor accidents in the region, the LTCS Guidelines have largely adopted the NSW Guidelines, but with minor changes to reflect the differences contained in the LTCS Act.

The LTCS Guidelines have been developed to meet the minimum benchmarks established for the National Injury Insurance Scheme, which is a federated model of state and territory based no-fault schemes providing lifetime care and support for people who have sustained a catastrophic injury. Under the National Injury Insurance Scheme eligible persons suffering catastrophic injuries will have a minimum level of entitlement to receive reasonable and necessary treatment and care. The levels of treatment and care to be provided are specified in detail in these Guidelines.

### **Detailed explanation**

#### **Part 3 Guidelines for disputes about motor accident injury**

This Part sets out the processes to be followed where there is a dispute concerning the Commissioner's decision whether an injury is a motor accident injury, in relation to a person's eligibility to participate in the LTCS Scheme. The Part covers who can make a dispute application, the required actions of the dispute applicant, LTCS Commissioner and assessors, as well as the timing for the various steps.