

APPLICATION FOR APPOINTMENT AS A

MEDICAL ASSESSOR

TO PROVIDE SERVICES TO THE

PERSONAL INJURY COMMISSION

LODGEMENT OF APPLICATIONS

Applications must be submitted by email to medicalassessors@pi.nsw.gov.au

FOR ADDITIONAL INFORMATION CONTACT

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**Personal Injury
Commission**

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Introduction

The Personal Injury Commission (the Commission) is established under the *Personal Injury Commission Act 2020* and commenced operation on 1 March 2021. The Commission is an independent statutory tribunal within the New South Wales justice system, committed to providing a transparent and independent dispute resolution service.

The Commission resolves disputes between people injured in motor accidents and workplaces in NSW, and their insurers and employers.

The President of the Commission may appoint persons to be Medical Assessors for the purposes of the:

- Workplace Injury Management and Workers Compensation Act 1998 and/or
- Motor Accident Injuries Act 2017 and/or
- Motor Accidents Compensation Act 1999 (or both)

Applications are sought from suitably qualified health and medical practitioners to provide medical assessment services to the Commission in either or both Divisions, with preference for appointments in both, where practical.

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PART A: REQUIREMENTS OF A MEDICAL ASSESSOR

1. Medical Assessors in the Personal Injury Commission

Medical Assessors are statutory appointments made under the *Personal Injury Commission Act 2020* (the Act) and are engaged directly by the Commission. They are highly experienced medical and allied health practitioners who are appointed to either or both the Motor Accidents Division and/or the Workers Compensation Division to conduct assessments and make decisions on matters in dispute in accordance with the enabling legislation.

Medical Assessors are required to comply with the [Medical Assessor Code of Conduct](#) which sets out the principles of conduct and professional behaviour to guide Medical Assessors in the performance of their statutory functions. Medical Assessors are independent of any party to a dispute and provide independent assessments. They do not give clinical or treatment advice.

Decisions made by Medical Assessors include assessing the degree of permanent impairment resulting from an injury, decisions about an injured person's medical condition, whether the injury is a minor injury, decisions for the provision of medical treatment or fitness for employment.

2. Qualifications, Skills and Expertise

The *Personal Injury Commission Regulation 2020*, part 2 (6) provides the criteria for the appointment of Medical Assessors as follows:

For the purposes of section 65(2)(a) of the Act, a person is eligible for appointment as a medical assessor if the person is:

- a. *a registered health practitioner or a medical practitioner within the meaning of the Health Practitioner Regulation National Law (NSW), but only if the practitioner does not have a condition imposed against the practitioner's registration as a result of disciplinary proceedings under that Law, and*
- b. *a member of an Australian or Australasian medical college, faculty or other Australian or Australasian health profession body, and*
- c. *in the opinion of the President, suitably qualified and has the necessary skills and expertise to exercise the functions of a medical assessor in relation to the Act or the enabling legislation*

Medical Assessors are required to have the necessary qualifications and expertise to exercise their functions as an assessor including:

For the Motor Accidents Division:

Certified to assess permanent impairment using [Part 6 of the Motor Accident Guidelines: Permanent Impairment](#) for accidents on or after 1 December 2017, and the [Motor Accident Permanent Impairment Guidelines](#) for accidents occurring between 5 October 1999 and 30 November 2017. These Guidelines are

based on the American Medical Association's *Guides to the Evaluation of Permanent Impairment, Fourth Edition* (AMA4).

Able to determine whether the injury related to the claim is a minor injury using [Part 5 of the Motor Accident Guidelines: Minor Injury](#) for accidents on or after 1 December 2017.

To assess treatment disputes a minimum of 5 years' experience in clinical practice and evidence of current experience in the treatment of injuries in accordance with current evidence-based best practice.

For the Workers Compensation Division:

Certified to assess permanent impairment using the [NSW workers compensation guidelines for the evaluation of permanent impairment](#). The Guidelines adopt the American Medical Association's *Guides to the Evaluation of Permanent Impairment Fifth Edition* (AMA5).

Medical Assessors must be certified to assess permanent impairment in either or both Divisions in the core module, and one or more of the following body systems:

Upper extremity	Lower extremity	Spine
Nervous system	Psychiatric and psychological disorders	Skin
ENT and related structures	Hearing	Visual system
Urinary & reproductive system	Respiratory system	Cardiovascular system
Digestive system	Endocrine system	Haematopoietic system

Medical Assessors are encouraged to seek appointment for both Divisions, where that makes sense. Applications for a single Division will be accepted.

To determine General Medical Disputes, applicants need to demonstrate knowledge of current research, evidence-based principles and best practice in relevant areas, including intervention by other health practitioners and evidence of current clinical practice or teaching position in the relevant specialty.

Experienced Medical Assessors may also be appointed to serve as the medical members of Appeal Panels (Workers Compensation) and Review Panels (Motor Accidents). Panels are convened when the President accepts an application to review/appeal the certificate of a single Medical Assessor.

These multidisciplinary panels are constituted by two Medical Assessors with a Member of the Commission. Decisions made by Panels are published by the Commission.

3. Assessment Locations

Medical Assessors are predominately required at the Personal Injury Commission's Medical Suites at 1 Oxford St, Darlinghurst and throughout New South Wales, including regional and rural areas. Interstate applicants are encouraged to apply.

4. Duration of Appointment

Medical Assessors are generally appointed for a specified term of up to three years. The term length is set at the discretion of the President.

The Term of Appointment will commence from appointment to February 2025. However, induction and onboarding will commence soon after the appointment is confirmed.

5. Onboarding

Medical Assessors must complete mandatory training before they can undertake assessments. This includes expectations regarding Medical Assessor performance and use of the electronic dispute management systems.

6. Allocation, Availability & Appointments

The Commission allocates disputes to Medical Assessors based on:

- The types of disputes referred by the parties
- The types of injuries sustained by the injured person
- The Medical Assessor's accreditation in relevant permanent impairment evaluation modules and their speciality, and/or
- Geographical location of the injured person and Medical Assessor

Generally, Medical Assessors are required to provide the Commission with a minimum of five (5) appointment times per month for assessments. These appointments are to be a minimum duration of one hour. The number of appointments provided are consummate, relevant to their specialty and location of practice as directed by the Commission.

7. Medical Assessment Process

Assessment of a dispute by a Medical Assessor will usually involve three stages:

1. Review of the documentation and information provided by the parties
2. An interview and clinical examination of the injured person
3. Preparation of the certificate

The certificate must be submitted using the Commission's electronic dispute management systems within 14 calendar days from the date of the assessment and in the approved format as required by the Commission and the relevant legislation, rules, directions and guidelines.

In certain circumstances, the assessment may be conducted 'on the papers' (without an interview or clinical examination). This will usually occur in situations where it is not possible for the injured person to attend the examination. Assessment may also be conducted by videoconference in appropriate circumstances.

8. Electronic Operating Environment

Medical Assessors are required to use the Commission's electronic dispute management systems. Training and support are provided.

Medical Assessors are required to maintain access to a computer equipped with access to the internet and have compatible software and hardware to open Microsoft Word files, PDF files, sound wave files, and other files as required.

Medical Assessors must comply with Commission's cyber security and data privacy requirements. This includes implementing and maintaining measures to protect electronic and physical records which may contain data shared by the Commission. Appropriate security controls should also be applied on the computer and other electronic devices being used to access the Commission's systems.

9. Remuneration

Medical Assessors are paid fees in accordance with the Personal Injury Commission's fee schedules as outlined in the Terms of Appointment.

PART B –APPLICATION & EVALUATION PROCESS

1. Selection Criteria

Applications must address or demonstrate, by the provision of supporting information, the following essential selection criteria:

- a. Registered health or medical practitioner (according to the Health Practitioner Regulation National Law (NSW), without conditions imposed as a result of disciplinary proceedings under that Law
- b. Member of an Australian or Australasian medical college, faculty or other Australian or Australasian health profession body
- c. Post-specialist qualifications and/or experience in specialist area(s)
- d. Minimum five years' experience in the relevant specialty, with demonstrated professional excellence
- e. Demonstrated knowledge of current research, evidence-based principles, and best practice in relevant areas
- f. Demonstrated written skills, including capacity to write clear, comprehensible reports with satisfactory reasons
- g. Commitment to engaging with the Personal Injury Commission's digital operating environment and electronic dispute management system
- h. Good verbal and interpersonal communication skills, including capacity to deal with people who are from non-English speaking backgrounds
- i. Demonstrated capacity to provide impartial assessments including balance between both insurer and plaintiff matters
- j. Ability to conduct assessments and provide reports within specified time periods
- k. No other appointments/affiliations that could be perceived as a conflict of interest
- l. Knowledge of the key objectives of the NSW Workers Compensation system and/or Motor Accidents Schemes
- m. Successful completion of the training in permanent impairment evaluation for the Division/s and module/s relevant to the body system for which the applicant seeks appointment, or willingness to undertake this training
- n. Evidence of current clinical practice or teaching position in the relevant speciality to assess treatment matters (Motor Accidents) and/or general medical disputes (Workers Compensation).

2. Investigations and checks

Applicants must consent and agree to:

- a. Being subject to detailed and comprehensive credentials, probity and reference checks, including identity and criminal history returning no noted medical conditions or criminal convictions in NSW or elsewhere
- b. Comply with the Personal Injury Commission's [Medical Assessor Code of Conduct](#)
- c. Accept the Terms of Appointment
- d. A review from the State Insurance Regulatory Authority

3. Information to be provided by applicants

Applicants seeking appointment will be required to submit:

1. A completed application form with no omissions. The application form collects summary information and details about the applicant's practice, venues and any conflicts.
2. Curriculum Vitae (CV) - which should satisfy requirements of Section 1 – Selection Criteria. (Maximum 5 pages)
3. Two de-identified, sample certificates or medico-legal reports, showing path of reasoning, that have been provided within the last 12 months. Sample certificates or reports should include:
 - Documentation reviewed
 - Injuries/disputes to be assessed
 - History
 - Clinical examination
 - Review of documentation
 - Conclusion
 - Whole Person Impairment (WPI)

If seeking appointment in both Divisions, provide one workers compensation and one motor accidents sample reports.

If seeking appointment to one Division only, provide two samples from the relevant division.

4. Provide the name and contact details of two professional referees

Any costs incurred in preparing and submitting an application, and any subsequent expenses in relation to the application, will be the responsibility of the applicant.

4. Selection Process

The selection process involves the following stages:

1. Selection panel evaluation
A selection panel will assess applications against the required criteria

2. Probity and professional evaluation including but not limited to
 - Identity check (100-point ID check)
 - Criminal history check
 - Australian entitlement to work
 - AHPRA Registration check
 - HCCC
 - Professional memberships check
 - Employment reference check

3. Consideration by the President who:
 - Will consider recommendations
 - May seek further evidence or clarification of material if appropriate.
 - May place provision, conditions or limitations on an appointment
 - The President will make offers of appointment in writing

Appointment of Medical Assessors is at the absolute discretion of the President. The President may elect not to proceed with appointment of applicants who have met the selection criteria.

5. Further enquiries

Further information about the Personal Injury Commission is available on the [website](#).

Any questions about becoming a Medical Assessor can be directed to medicalassessors@pi.nsw.gov.au

