

Submission by Spinal Life Australia on the

Consultation Regulatory Impact Statement - Re-entering the National Injury Insurance Scheme in Queensland after accepting treatment, care and support damages (RIS)

Spinal Life Australia is Queensland's leading provider of advocacy, therapy and supports for individuals with spinal cord damage and other physical disabilities. Formed in 1960, our organisation supports more than 2,000 people across Queensland to live as independently as possible with their disability. We value the opportunity to contribute to the Consultation Regulatory Impact Statement.

Spinal Life was a leading advocate for the introduction of the National Injury Insurance Scheme Queensland (NIISQ) and we sat on the advisory committee's leading up to and once the Scheme commenced.

Insurance settlements have been part of the lives of many of our members over the years. Initially, many claims were not well planned by our member's but we supported them to include early intervention, equipment replacement and other requirements associated with aging. However, regardless of how much planning was involved in preparing a claim for a person with traumatic spinal cord injury, the settlement was never enough for a lifetime....and the adversarial nature of the process took its toll. It was our association with these long, drawn out experiences endured by our members that underpinned our advocacy for the introduction of the NIIS in Queensland.

The RIS options:

Two options are proposed for regulating the preclusion period for re-entering the lifetime schemes.

Option 1: Prescribing a five-year preclusion period, which is the shortest preclusion period allowed by the primary legislation (preferred option).

Option 2: Prescribing a longer preclusion period, either as a specific term or by reference to objective criteria.

Spinal Life's preference is for **Option 1** and we are pleased to see it is the preferred option stated in the RIS.

Three options are proposed for regulating other pre-conditions for re-entry to the lifetime schemes.

Option 1: Re-entry at the wide discretion of the Agency or Insurer (not preferred).

Option 2: Re-entry at the discretion of the Agency or Insurer, having regard to a regulated list of considerations when determining re-entry.

Option 3: Re-entry based on mandatory considerations which either require or prohibit reentry and, if these do not apply, re-entry at the discretion of the Agency or Insurer having regard to the regulated list of considerations as for Option 2.

Spinal Life's preference is for **Option 3**.

Further, we support the ideal stated in the RIS that, *'to create a more consistent experience for participants across the lifetime schemes, consideration is also being given to prescribing severe financial hardship as an additional re-entry criterion for the workers' compensation scheme'*.

Again, we appreciate the opportunity to comment on these matters.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Mayo', with a stylized flourish at the end.

John Mayo
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