

# Housing for People with an Acquired Brain or Spinal Injury: Mapping the Australian Funding Landscape

## Appendices

### Appendix A: Overview of Major Australian Funding Schemes

#### National Schemes

At a national level, the National Disability Insurance Scheme (NDIS), administered by the National Disability Insurance Agency (NDIA), provides lifetime support for eligible Australian residents under the age of 65 years with permanent disabilities, their families and their carers.

Several national workers compensation schemes also exist. Seacare, which is overseen by the Seafarers Safety, Rehabilitation and Compensation Authority, provides workers compensation to seafaring employees and appropriate third parties<sup>1</sup>. Comcare is a no-fault workers compensation scheme that provides a range of payments and supports to eligible employees of the Commonwealth Government agencies and statutory authorities, the ACT government and corporations or authorities who have been granted a licence to self-insure<sup>2</sup>. Current or former members of the Australian Defence Force with injuries caused by their military service may also be eligible for compensation under the Military Rehabilitation and Compensation Act 2004, including income payment for periods in which they are unable to work, payments for medical treatments and rehabilitation, and permanent impairment compensation<sup>3</sup>.

#### State/Territory-based Schemes

##### *Queensland*

In Queensland, people who sustain a serious injury in a motor vehicle accident may be eligible to receive necessary and reasonable lifetime treatment, care and support under the National Injury Insurance Scheme Queensland (NIISQ), which is implemented by the National Injury Insurance Agency Queensland<sup>4</sup>. This no-fault scheme complements the existing Compulsory Third Party (CTP) scheme, providing support to people who may not have been eligible for support previously under the fault-based CTP scheme. People who sustain a serious injury resulting from a motor vehicle accident who are eligible to make a claim through the CTP scheme may receive compensation for general damages such as pain and suffering or economic loss, in addition to lifetime treatment, care and support through the NIISQ<sup>5,6</sup>. The Queensland workers compensation scheme, WorkCover Queensland, will also engage the National Injury Insurance Agency Queensland to manage the treatment and support of eligible people who sustain serious injuries resulting from a workplace accident<sup>7</sup>.

##### *New South Wales*

In New South Wales, the Lifetime Care and Support Authority (part of icare) is responsible for administering the no-fault Lifetime Care and Support Scheme, which funds treatment, rehabilitation and care for people who have sustained a severe injury as a result of a motor vehicle accident or workplace accident in New South Wales<sup>8</sup>. Under the CTP scheme, people may be eligible for income and medical benefits regardless of fault, and people with serious injuries may also be eligible to claim compensation for economic or non-economic loss if they are able to prove that someone else was responsible for the accident that caused their injury<sup>9</sup>. Icare also provides workers insurance, and those who sustain severe injuries in the workplace may be eligible to receive payments through the icare Workers Care program<sup>10</sup>.

### *Australian Capital Territory (ACT)*

In the ACT, people who sustain a catastrophic injury as a result of a motor vehicle accident or workplace accident may be eligible for the ACT Lifetime Care and Support Scheme<sup>11</sup>. This is a no-fault insurance scheme that provides eligible participants with long-term care and support. People seriously injured from a workplace accident may also be eligible for workers compensation for economic or non-economic loss, not including future medical expenses or support, which would be covered by the Lifetime Care and Support Scheme<sup>12</sup>. Similarly, individuals injured in a motor vehicle accident and able to provide evidence that another person was at fault may be able to make a CTP claim for compensation for economic loss (e.g. lost wages) and non-economic loss (e.g. pain and suffering)<sup>13</sup>.

### *Victoria*

In Victoria, the Transport Accident Commission is responsible for the no-fault Transport Accident Compensation Scheme, which covers long-term services and supports for people who have sustained serious injuries<sup>14</sup>. Through the workers compensation scheme, WorkSafe Victoria, people who are seriously injured in workplace accidents may be eligible to receive payments for lost wages and superannuation, expenses for treatment related to their injury, permanent impairment benefits and may be able to claim for damages from their employer<sup>15,16</sup>.

### *Tasmania*

In Tasmania, people who have been seriously injured in a motor vehicle accident may be eligible to receive treatment and support, including long-term care, through the no-fault Motor Accident Insurance Scheme administered by the Motor Accidents Insurance Board<sup>17</sup>. Through WorkSafe Tasmania, people who are seriously injured in a workplace accident (regardless of fault) may be entitled to receive weekly payments while unable to work, compensation for necessary and reasonable medical, rehabilitation and other expenses related to their injury, lump sum compensation for permanent impairment, and depending on fault may seek common law damages<sup>18</sup>.

### *Northern Territory*

In the Northern Territory, the Motor Accidents Compensation Scheme is a no-fault insurance scheme that provides a range of treatment and support for eligible people injured in motor vehicle accidents<sup>19</sup>. People who are injured in a workplace accident may be entitled to compensation for weekly payments while unable to work, reasonable hospital, medical and rehabilitation treatment, and payments for permanent impairments<sup>20</sup>.

### *South Australia*

South Australia's no-fault Lifetime Support Scheme, administered by Lifetime Support Authority, provides treatment, care and support across the lifetime to individuals who sustain serious injuries as a result of a motor vehicle accident<sup>21</sup>. Adults injured in a motor vehicle accident may be eligible for compensation through the CTP scheme if they are able to prove that their injuries are the fault of another driver<sup>22</sup>. For people who are under the age of 16 when the injury occurs, compensation is available through the CTP scheme for treatment, care and support regardless of fault. ReturntoWork SA manages workers compensation claims in South Australia, providing income support and lifetime care and support for people who are seriously injured in a work accident<sup>23</sup>.

*Western Australia*

In Western Australia, the Insurance Commission of Western Australia manages both the Catastrophic Injuries Support Scheme and the CTP scheme, which both provide lifetime care and support to eligible people who are injured in a motor vehicle accident<sup>24</sup>. However, the CTP scheme is fault-based, so only people who can prove the fault of another driver are eligible for support through this scheme. Individuals must be unable to claim in the CTP scheme to be considered eligible for the Catastrophic Injuries Support Scheme.

Compensation for economic or non-economic loss may also be claimed through the CTP scheme. Those seriously injured at work may be eligible for workers compensation through WorkCover WA, including compensation for loss of wages, reasonable medical, allied health treatment and workplace rehabilitation expenses, and some travel expenses related to the injury treatment<sup>25</sup>.

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