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SPECIAL SUPPLEMENT

WORKERS COMPENSATION (PUBLIC HOSPITAL RATES) ORDER 2005 NO 1

under the

Workers Compensation Act 1987

I, JOHN WATSON, Acting Chief Executive Officer of the WorkCover Authority of New South Wales, pursuant to section 62 (1) of the Workers Compensation Act 1987, and with the concurrence of the Minister for Health under section 62(8), make the following Order.

Dated this 7th day of July 2005

JOHN WATSON,
Acting Chief Executive Officer
WorkCover Authority

1. Name of Order

This Order is the Workers Compensation (Public Hospital Rates) Order 2005 No 1.

2. Commencement

This Order commences on the date of its publication in the Gazette.

3. Application of Order

- (1) This Order applies to the hospital treatment of a worker at a public hospital, being treatment of a type referred to in clauses 5 to 8 and provided on or after the date of commencement of this Order, whether the treatment relates to an injury that is received before, on or after that date.
- (2) Any previous Order of WorkCover in force under section 62 of the Act continues to apply except to the extent that it is inconsistent with this Order.
- (3) Any order of the Director-General of the Department of Health made pursuant to clause 18 of the Workers Compensation (General) Regulation 1995 has effect as if it were an order relating to the classification of hospitals made for the purposes of clause 5 of this Order, subject to any amendment of it made by any subsequent order of the Director-General of the Department of Health.
- (4) Any order of the Director-General of the Department of Health relating to the classification of hospitals made for the purposes of clause 5 of this Order or any previous Order under section 62 of the Act has effect, subject to any amendment of it made by any subsequent order of the Director-General of the Department of Health.

- (5) Any order relating to the classification of hospitals made for the purposes of clause 5 of this Order may provide that a hospital is not a public hospital of a particular type in respect of treatment provided to a specified class of patient.

4. Definitions

- (1) In this Order:
classification refers to a classification of hospital, category of patient or otherwise (or any combination of them), appearing in Column 1 of the Tables to clauses 5 to 8 of this Order.
the Act means the Workers Compensation Act 1987.
WorkCover means the WorkCover Authority of New South Wales.
- (2) A reference to treatment or services in this Order is (consistent with the definition of “hospital treatment” in section 59 of the Act) a reference to treatment or services provided at a public hospital or at any rehabilitation centre conducted by such a hospital.

5. Fees for hospital patient services generally

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being treatment provided to a worker within a classification specified in Column 1 of the Table to this clause is:
- in the case of inpatient services, for each day (or part of a day) that the worker is a patient of the hospital, or
 - in the case of outpatient services, for each occasion of service,
- the corresponding amount specified in Column 2 of that Table.
- (2) This clause does not apply to hospital treatment of a type referred to in clauses 6 to 8 of this Order.
- (3) In this clause and the Table to this clause:
critical care, in relation to a patient, has the same meaning as it has in the “NSW Department of Health – DOHRS” issued by the Department of Health in June 2000 or in any subsequent revision of that document issued by that Department.
metropolitan (non-referral) hospital means a public hospital classified as a metropolitan (non-referral) hospital in an order published in the Gazette by the Director-General of the Department of Health.
metropolitan (referral) hospital means a public hospital classified as a metropolitan (referral) hospital in an order published in the Gazette by the Director-General of the Department of Health.
non-metropolitan hospital means a public hospital classified as a non-metropolitan hospital in an order published in the Gazette by the Director-General of the Department of Health.
other public hospital means a public hospital other than a metropolitan (non-referral) hospital, a metropolitan (referral) hospital, a non-metropolitan hospital or a psychiatric hospital.
outpatient means a patient who does not undergo a formal admission process.
psychiatric hospital means a public hospital classified as a psychiatric hospital in an order published in the Gazette by the Director-General of the Department of Health.

public hospital means a public hospital within the meaning of section 59 of the Act.

Table Fees for hospital patient services generally

Column 1 Hospital classification	Column 2 Amount (\$)
(1) Metropolitan (referral) hospital:	
(a) Critical care	2020 per day
(b) Other	810 per day
(c) Outpatient occasion of service (excluding physiotherapy)	95
(2) Metropolitan (non-referral) hospital:	
(a) Critical care	1,175 per day
(b) Other	610 per day
(c) Outpatient occasion of service (excluding physiotherapy)	70

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|--|-------------|
| (3) Non-metropolitan hospital: | |
| (a) Critical care | 930 per day |
| (b) Other | 565 per day |
| (c) Outpatient occasion of service (excluding physiotherapy) | 60 |
| (4) Psychiatric hospital: | |
| (a) Inpatient | 340 per day |
| (b) Outpatient occasion of service (excluding physiotherapy) | 60 |
| (5) Other public hospital: | |
| (a) Inpatient | 190 per day |
| (b) Outpatient occasion of service (excluding physiotherapy) | 60 |

6. Fees for brain injury rehabilitation services

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being brain injury rehabilitation services within a classification specified in Column 1 of the Table to this clause, is the corresponding amount specified in Column 2 of that Table.
- (2) This clause does not apply to hospital treatment of a type referred to in clause 5, 7 or 8 of this Order.
- (3) In this clause and the Table to this clause:

Category A patient means a patient being assessed for or receiving active rehabilitation.

Category B patient means a patient receiving personal and nursing support who is resident in a brain injury program unit.

Category X patient means a patient needing an extremely high level of support.

metropolitan (non-referral) hospital means a public hospital classified as a metropolitan (non-referral) hospital in an order published in the Gazette by the Director-General of the Department of Health.

outpatient means a patient who does not undergo a formal admission process.

Table Fees for brain injury rehabilitation services

Column 1	Column 2	Amount (\$)
Item/Hospital classification		
(1) Admitted patient services:		
(a) Category A patient		845 per day
(b) Category B patient		540 per day
(c) Category X patient		1,200 per day
(2) Metropolitan (non-referral) hospital:		
(a) Category A patient		605 per day
(b) Category B patient		300 per day
(3) Non-admitted patient services		60 per half
hour		
(4) Outpatient medical clinic appointments		
(a) Medical consultation – initial assessment		200
(b) Medical consultation – follow-up assessment		100
(5) Group activities		
(a) directly supervised by qualified allied health clinician hour		35 per half
(b) not directly supervised by qualified allied health clinician hour		25 per half

7. Fees for spinal injury rehabilitation services

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being spinal injury rehabilitation services within a classification specified in Column 1 of the Table to this clause, is the corresponding amount specified in Column 2 of that Table.
- (2) This clause does not apply to hospital treatment of a type referred to in clauses 5, 6 or 8 of this Order.

Table Fees for spinal injury rehabilitation services

Column 1 Item/Hospital classification	Column 2 Amount (\$)
(1) Admitted patients (Northern Area Health Service, Royal Rehabilitation Centre of Sydney)	550 per day
(2) Outpatient services	
(a) Conference	50 per half hour per therapist
(b) Therapy	50 per half hour per therapist

8. Fee amount payable for physiotherapy outpatient services

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being physiotherapy services provided to the worker as an outpatient and within a classification specified in Column 1 of the Table to this clause is the corresponding amount specified in Column 2 of that Table.
- (2) This clause does not apply to hospital treatment of a type referred to in clauses 5, 6 or 7 of this Order.
- (3) The Workers Compensation (Physiotherapy Fees) Order 2004 No 1 contains requirements relating to physiotherapy management plans where more than eight occasions of service are required.
- (4) In this clause and the Table to this clause:

complex treatment means treatment related to complex pathology and clinical presentation including, but not limited to, extensive burns, complicated hand injuries involving multiple joints and tissues and some complex neurological conditions.

group/class service means a common service delivered by a physiotherapist to more than one person at the same time. Examples are aquatic physiotherapy classes and exercise groups.

initial consultation and treatment means the first session provided by the physiotherapist in respect of an injury, and may include:

- history taking;
- physical assessment;
- diagnostic formulation;
- goal setting and planning treatment;
- treatment/service;
- clinical recording; and
- communication with referrer.

standard consultation and treatment means treatment sessions provided subsequently to the initial session, and may include:

- re-assessment;
- treatment/service; and
- clinical recording.

two distinct areas means two areas affected by entirely separate compensable injuries or conditions, which are assessed and treated separately. Where areas are distinct, treatment provided for one condition does not affect the symptoms of the other condition. Areas are not distinct where a condition causes referred symptoms to another area.

Table Physiotherapy outpatient services

Column 1 Item/type of service	Column 2 Amount (\$)
(1) Initial consultation and treatment	60
(2) Standard consultation and treatment	50
(3) Initial consultation and treatment of two distinct areas	90
(4) Standard consultation and treatment of two distinct areas	75
(5) Complex treatment	100
(6) Group/class service	35 per participant
(7) Other aspects of treatment not covered by items (1) to (6), for instance case conferencing and employer consultations	120 per hour

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