

Assess Loss of Potential Earnings (LOPE) - Physical Injury v7.0



Summary

Objective

Determine eligibility for Loss of Potential Earnings (LOPE) Payments for a client with a Physical Injury.

Background

Who LOPE is for?

All clients who are potential earners should have their eligibility for Loss of Potential Earnings checked. The definition of a potential earner is a claimant who, at the time of sustaining their injury they were either:

- 18 years of age, or
- in full-time study or training that was continuous since before reaching 18 years of age

Loss of Potential Earnings (LOPE) assessment for a Physical Injury Claim requires a Recovery Team Member to first assess the client's eligibility against a set of criteria, then investigate their inability to work. This may include the following assessment types:

1) Section 105 Occupational Assessment. This is purchased by following the Initial Occupational Assessment (IOA) process. The purpose of this assessment is to provide supporting information to subsequent assessors so that they can determine whether there is now, or has been at some time in the past, incapacity from engaging in work types for 30+ hours based on their skills, training and education.

2) Section 105 Medical Assessment. This assessment is to determine how the injury has been (retrospectively) or is currently affecting the client's ability to work. This assessment is only used in cases of doubt about incapacity, or when it appears likely that there is no longer any incapacity and that entitlement will be declined. Contact Recovery Support to confirm before omitting referral for this assessment.

Upon receipt of relevant information, the Recovery Team Member may consult with Recovery Support to determine whether the client is or has in the past been unable, because of his or her personal injury, to engage in work for which he or she is suited by reason of experience, education, or training, or any combination of those things.

The intention behind Loss of Potential Earnings (LOPE) is to provide an income for young adults who, as a result of their injury, are unlikely to gain paid employment or will face significant challenges securing paid employment. The value of Loss of Potential Earnings payment is set by ACC and fixed relative to the adult minimum wage. LOPE starts when the person is a young adult and in many cases continues until they're eligible for National Superannuation.

Owner

[Name withheld]

Expert

Procedure

1.0 Assess LOPE eligibility

Recovery Coordinator, Recovery Partner

- a** Review the eligibility criteria for LOPE payments.

Loss of Potential Earnings Policy

NOTE What do you need to consider when the entitlement request is received and deemed cover exists?

Refer to the Deemed Cover and Entitlements Policy for considerations to determine client entitlement eligibility while in deemed cover period.

Deemed Cover and Entitlements Policy

- b** Determine Eligibility:

- What period the client is claiming for?
- Identify clinical and other records that support these periods of incapacity
- Assist in confirming (passive) the injury occurred prior to the age of 18.
eg "confirm the injury occurred prior to the age of 18."

NOTE What if the records are not on the claim?

Refer to the Request Clinical Records process.

PROCESS Request Clinical Records

NOTE What if there is no ACC18 Medical Certificate that supports the claim?

Check clinical and other records can be used to support backdated periods of incapacity in the absence of ACC18 Medical Certificate.

- c** Determine if the client has been engaged in any full-time study for the period which they are claiming for, or if the client was engaged in full time study prior to the age of 18 (or 16 under the 1972 and 1982 Act), until they sustained their injury.

NOTE What if the client did engage in full-time study?

Send a request for information to the confirmed education provider to obtain confirmation of the course, including course dates.

- d** Confirm that the client meets all eligibility criteria for Loss of Potential earnings.


NOTE What if you are unsure if the client meets the eligibility criteria?

Go to Seek Internal Guidance

 **PROCESS** Seek Internal Guidance

NOTE What if the client does not meet the eligibility criteria?

Decline the request. Go to Issues Recovery Decision.

 **PROCESS** Issue Recovery Decision

2.0 Arrange s105 Occupational Assessment

Recovery Coordinator, Recovery Partner

- a** In Eos, generate a Vocational Rehabilitation referral task for a 'Initial Occupational Assessment'. For further information refer to Referring Tasks to Recovery Administration - Principles.

NOTE What if client is not able to engage in s105 Assessment?

If the client is non-verbal or behavioural reasons is unable to engage in s105 Occupational Assessment, request written guidance.

 Referring Tasks to Recovery Administration - Principles


 Creating Manage Referral Tasks - System Steps

- b** Complete the mandatory fields in the e-form.

NOTE What information is required?

- Purchase order code: VIO105 Vocational Independence Occupational Assessment Loss of Potential Earnings Section 105 assessment (one unit)
- Investigation Period: Incapacity start and to date eg May 1996 to present
- Vendor preference (if applicable)
- Reason for the referral.

If your client has a care indicator, refer to 'Disclosure of care indicator information to third parties' Policy for information about when this needs to be shared.

 Disclosure of Care Indicator Information to Third Parties Policy

- c** Send the task to the Recovery Admin within 24 hours.

NOTE What if the request is urgent and needs to be completed that day?

Call Recovery Administration, provide the claim number and request the task is completed today.

NOTE What if the request is required in the future?

If the support is required in the future, set a reminder task for the future date when the support will be required.

When the reminder task is due return to Activity 2.0 Arrange s105 Occupational Assessment.

Review the contract timeframes and SLAs as specified in the service page.

3.0 Review task

Recovery Administrator

- a** In Eos select 'Do Task' from your task queue.

- b** Check the task provides the following information:

- purchase order code (VIO105)
- investigation period
- vendor preference (if applicable)
- reason for the referral.


NOTE What if you receive a NGCM - Admin Request task for a re-referral as the Provider is unable to accept a referral?











Go to Activity 4.0 (b).

4.0 Create purchase order

Recovery Administrator

- a** In Eos, generate a purchase order using the purchase order code VIO105 and Vocational Rehabilitation and Independence Rehabilitation Action.

 Creating purchase orders using general + QE

-  Purchase Order - Handy Hints on how to create and edit POs
- b** Identify and select a contracted provider in the client's geographic area.
- NOTE** **What if this is a re-referral?**
Update the original Purchase Order with the new Provider and continue with this process.
- NOTE** **What if a preferred provider has been specified in the task?**
Select the vendor from the Contracted Supplier by Geographic Area Coverage list. Go to task (c).
-  Contracted Suppliers by Geographic Area of Coverage
- c** Add the selected vendor as a participant on the claim.
-  Manage Participants (Eos Online Help)
- NOTE** **What if the purchase order requires a higher delegation?**
Refer to the system steps below.
-  Request Authorisation for a Purchase Order - System Steps
- d** Select 'Add documents' and generate the ACC195 and ACC6278 referral for Loss of Potential Earnings Occupational Assessment.
- e** Add additional information received in the task to the referral. For guidance refer to the ACC6278 - ACC referral for Occupational Assessment.
-  Admin Template - ACC6278 Initial Occupational Assessment
-  ACC195 – s105 Occupational Assessment
- f** Perform privacy checks on the documents in the group.
- NOTE** **These must not contain any injury or medical information. This is crucially important as failure to observe constitutes a privacy breach.**
-  NG SUPPORTING INFORMATION Inbound and Outbound Document Checks
-  Privacy Check Before Disclosing Information Policy
- NOTE** **Can you provide medical information?**
ACC will provide information that is relevant to the occupational assessor and the assessment that is being completed. If you are providing any medical information, advise the client and seek their consent. You should also provide a copy of the ACC6300 Authority to collect medical and other records form.
- g** Complete the documents and convert the ACC6278 into a non-editable PDF, leaving the ACC195 as an editable word document.
- h** Create and send an email using 'Requests and referrals' template
-  NGCM - FINAL Emailing from Eos using a Template - System Steps
- NOTE** **What if there is a document group?**
Open document group and link the ACC195 and VIO03 to the group and email to the vendor.
- NOTE** **What if the email is too large to send as a single email?**
Contact the vendor and ask if the referral can be sent by courier. If yes, confirm correct physical address then go to Prepare and Send Client Information by Courier then return to this process. Otherwise, send by email.
-  **PROCESS** Prepare and Send Client Information by Courier
- i** In Salesforce, close the referral task
- NOTE** **What if you are advised by a Provider they are unable to accept a referral?**
Go to Activity 4.0 (b) and complete a re-referral.

5.0 Receive and review the occupational assessment report

Recovery Coordinator, Recovery Partner

- a** Receive report.
- b** Review report to check that details are correct to claim.
- c** Determine entitlement for loss of potential earnings based on clinical and other records, certified incapacity and the assessments available.
- NOTE** **What if you can't determine entitlement?**
Seek guidance through Recovery Support
- d** Determine if you need to arrange a s105 Medical Assessment.

NOTE When would you not need to arrange a s105 Medical Assessment?

If the available medical information shows symptoms so severe as to make any form of gainful employment unsustainable (e.g. in long-term hospitalisation; housebound; safety risks to self or others and/or major cognitive dysfunction) then speak with Recovery Support (Medical Advisor) who may advise omitting a s105 Medical Assessment.

 **PROCESS** Seek Internal Guidance

 **PROCESS** **Seek Internal Guidance**
Recovery Coordinator, Recovery Partner

 **PROCESS** **Arrange Section 105 Assessment**
Recovery Coordinator, Recovery Partner

6.0 Request setup of LOPE payments

Recovery Coordinator, Recovery Partner

NOTE Is PPPR necessary before starting LOPE payments?

See link below, if there are concerns talk with Team Leader.

 **PROCESS** Implement a Communication Plan

- a** Contact to the client and to discuss details of the WC14 - Accept Application for Weekly Compensation decision letter, answering any questions they may have.

NOTE What if you have declined the request for LOPE?

- Advise the client the reason(s) for declining the LOPE request and explain their review rights. Refer to the NG Principles Decision Making document to support the conversation.
- Create and send the SPD999 Decline entitlement decision – client letter via the client's preferred method of communication.
- Record the decision as per the Decision Making Principles.

 NG Principles Decision Making

 Add a Non standard WC set up Eform

- b** In Eos, add the Setup Weekly Compensation - BDWC task and link the non-standard WC set up eform to the task.

 Add a Weekly Compensation setup task (Eos online help)

 Link a document to a task in Eos
