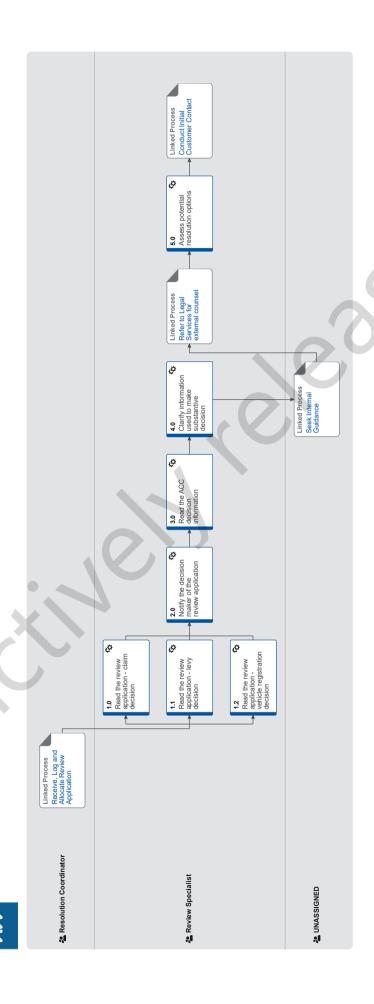
# Complete Background Review v31.0





# Complete Background Review v31.0



### Summary

### Objective

The objective of this process is to understand the ACC decision and the reason for the review application so that the Review Specialist is prepared to contact the customer to discuss and have a first attempt to resolve the matter.

Owner

Name withheld

**Expert** 

**Procedure** 

**► PROCESS** 

# Receive, Log and Allocate Review Application

**Resolution Coordinator** 

## 1.0 Read the review application - claim decision

**Review Specialist** 

- Timeframes for Reviews Policy
- a In Eos, open and read the information in the PRC REV: Complete Admin Review task,
- **b** Read the information the customer has provided in and with the review application.

### NOTE What if you believe the Review Cog has been generated incorrectly?

- Confirm with the customer/representative that it was not their intention to lodge a review application or that the application is a duplicate of an already lodged review.
- Create a contact in Eos stating the Cog was generated in error and then email a Resolution Services Manager with a request to cancel the Review Cog.
- Provide feedback to the Resolution Coordinator Team Leader on the reasons for the cancellation.

#### NOTE What if you believe the review to be deemed?

A review is considered to be 'deemed' if ACC has failed to arrange a hearing date within 90 days from the date the application was received.

If you believe the review is deemed - go to 'Implement Resolution Outcome' and follow the instruction provided to operationalise the deemed decision.

PROCESS Implement Resolution Outcomes

# NOTE What if the applicant is an employer disputing an work related personal injury entitlement decision of an employee?

In these cases contact the employer and explain that a Reviewer has no jurisdiction to hear this type of matter, and while they are welcome to proceed it is unlikely to achieve outcome they are seeking.

It may be useful to inform the employer what they can review in this situation (i.e. that the accident occurred in their workplace (work injury dispute)).

Seek to obtain a withdrawal. If unsuccessful, proceed to referring arranging a Case Conference.

# NOTE What if the applicant is a registered health professional lodging a review against a patient cover and/or support?

In these cases - contact the client directly to ask whether it was their intention to go down the review channel and that they authorise the provider to lodge the review on their behalf.

If the client's intent was to lodge a review, establish whether they would like the provider to continue acting on their behalf and obtain an ATA.

If the client does not want to proceed with the review, contact the provider and talk to them about the need for consent and your conversation with the client. Obtain a written withdrawal.

#### NOTE What if the review is about a fatal claim on behalf of the estate?

If the application concerns a fatal claim on behalf of the estate, contact the applicant via email, stating that for the application to proceed to review hearing stage the applicant must provide evidence they are either the executor of the estate as outlined in the will or have letters of administration.

If they already have evidence of one of the above, proceed with the review as per usual. If they do not have evidence of one of the above, letters of administration will need to be obtained before proceeding to review.

# NOTE What if the applicant does not have proof that they can act on behalf of the estate? Letters of administration will need to be obtained before proceeding to a review hearing. The applicant can do this by engaging with a law firm and ACC has the discretion of reimbursing costs up to \$1320 if the applicant is successful in obtaining the letters of administration, or the Court did not grant legal standing, but you (Review Specialist) believe the representative acted reasonably in applying for legal standing to represent the deceased. In exceptional circumstances, where the representative is not in a financial position to pay, you (Review Specialist) may pay the \$1320 upfront. Once the letters of administration are received, proceed with the review as per usual. c Check that the review application was lodged within the three month timeframe. NOTE What if the review application was lodged outside of the three month timeframe? Go to Accept or Decline Late Review Application. PROCESS Accept or Decline Late Review Application d If the review was lodged by a representative, check to see if the outstanding Authority to Act form has been returned. If an ATA is not outstanding or required, then continue with the process. NOTE What if the outstanding Authority to Act form has not been returned? Follow up with the representative to remind them the ATA is outstanding. 1.1 Read the review application - levy decision **Review Specialist** Timeframes for Reviews Policy a In Outlook, open and read the email and attachments sent by the Resolution Coordinator. **b** Read the information the customer has provided with the review application. c In Juno BillingCenter, check if the account is overdue. NOTE What if the account is overdue? Email collections@acc.co.nz and ask a hold be placed on the account as a review is underway. 1.2 Read the review application - vehicle registration decision **Review Specialist** Timeframes for Reviews Policy a In Outlook, open and read the email and attachments sent by the Resolution Coordinator. **b** Read the information the customer has provided to determine the point of contention. NOTE What if the point of contention is about an incorrect classification? Contact the business incentives group through the vrr@acc.co.nz email with a request to investigate the classification.

# that this has occurred, go to Fulfil Resolution Obligations. PROCESS Implement Resolution Outcomes

# 2.0 Notify the decision maker of the review application

**Review Specialist** 

a • If the review is about a decision on a claim, identify the allocated decision maker and notify them that an application for review has been received.

The business incentives group will investigate and if required instruct the NZTA to correct the error. On confirmation

- If the review is about a levy decision, refer to the 'Business Customer Triage Process' document for direction.
- NOTE What if the claim sits within Assisted Recovery or sitting in 'NGCM Actioned Cases'?

  No initial contact or notification is required.
- NOTE What if the claim sits with Supported or Partnered Recovery but is not currently assigned to an individual? If not assigned to an individual then send a 'NGCM General task' to either the 'Supported Recovery' or 'Partnered Recovery' queue indicating that a review has been lodged against a decision on file.
- NOTE What if the claim is sitting unassigned within a cover team (Cover or Treatment Injury Teams)?

  If a cover decision has been issued and closed, the claim should be sitting in either the Dunedin Service Centre Actioned Cases queue OR the TIC Actioned Cases queue.

Although unassigned, a standard 'general task' (not a 'NGCM-General task') must be sent to the individual whom made the decision to notify them that a review has been lodged against a the decision on file.

NOTE What if the review is about a decision on a claim or a decision about a vehicle registration levy and the decision maker cannot be identified?

Continue with the process.

- **b** Check whether a Technical Accounting Specialist has provided advice on the disputed decision and if yes, notify them that a review application has been received.
- C Complete in Eos, and send, to the customer, representative or interested party the REV18, and REV21 (if applicable) that was generated by the Review Coordinator. Send via email if a verified email address exists, or by post if no verified email address exists.

### 3.0 Read the ACC decision information

**Review Specialist** 

- a If the review application is about a decision on a claim, in Eos, open and read the information that ACC used to make the decision
- b If the review is about a Levy decision, in Juno, read the information used to make the decision.

## 4.0 Clarify information used to make substantive decision

**Review Specialist** 

- a Check that you understand the reasons the substantive decision was made.
- **b** If the reasons are unclear, refer the decision for expert advice.

#### **NOTE** What advice is available?

- Technical Services
- Clinical Services
- Legal Services
- Technical Accounting Services
- Weekly Compensation Team
- · Levy Classifications
- Privacy

## NOTE What if advice or guidance is needed from Clinical Services?

To obtain instruction on how to seek the required clinical advice/guidance refer to Clinical Referral Instructions.

Clinical Referral Instructions

Reference Guide for Review Specialists when deciding whether to refer a task to Technical Accounting Specialist (TAS)

## NOTE What if advice is needed from Levy Classifications?

Email the query to levyclassification@acc.co.nz. The subject line should read 'Resolution Services Query'. The email should include:

- Review number
- · Customer/representative name (if applicable)
- ACC number
- · What the query is about.

If Levy Classification have not responded after 4 working days, contact them again.

### NOTE What if advice is required about a privacy issue?

Send an email to privacy.officer@acc.co.nz with the following information:

For Resolution Services to complete

Resolution Specialist/Review Specialist:

Customer name:

Claim number:

Relevant ministerial, government services or review identifier:

Date complaint/review received:

Factual summary and timeline

Please include relevant privacy history including previous privacy advice.

Privacy advice required:

Privacy Team to complete

Privacy Advisor:

Privacy advice:

Any other comments/considerations:

- **c** If the review application is about a decision on a claim, in Eos, open and complete the PRC REV: Complete an Admin Review task and complete the following sections:
  - · Claimant's reason for lodging the review
  - · ACC's reason for the original decision
  - · Legislative basis / case law.
- **d** If the review application is about a levy decision, open the Administrative Review form and complete the following sections:
  - Claimant's reason for lodging the review
  - ACC's reason for the original decision
  - Legislative basis / case law.

₩ Levy Admin Review.docx			
e Consider whether the review should be referred to Legal Services for legal representation.			
	PRO	OCESS	Seek Internal Guidance UNASSIGNED
	PRO	OCESS	Refer to Legal Services for external counsel Review Specialist
5.0	Assess potential resolution options Review Specialist		
		-	whether additional advice is required.
		NOTE	What type of advice might be useful?  • Comments from Medical or Psychology Advisors  • Advice from the Clinical Advice Panel  • Additional information from the customer/representative  • Additional information from the treating specialist  • A Medical Case Review  • Comments from a radiologist  • Comments from Technical Services  • Comments from Technical Accounting Services
		NOTE	What if advice or guidance is needed from Clinical Services?  To obtain instruction on how to seek the required clinical advice/guidance refer to Clinical Referral Instructions.
		Clir	nical Referral Instructions
		NOTE	Can you access specialist advice from Name withheld ?  Name has made himself available once a week (generally a Thursday afternoon) to provide advice to Review Specialist over the phone.
			If you would like to speak with Name, contact your Senior Review Specialist who will triage the requests and organise the next available appointment through the Resolution Coordinator team
		NOTE	Should permission be sought from the client prior to seeking further external clinical comments or notes?
			Yes - you must have a conversation with the client/ATA on what you are wanting to do and why (eg releasing and seeking medical information with a view of reconsidering ACC's position on the matter at review). This is to ensure there is no objection. Once you have obtained a verbal permission make a note in your Eos contact reflecting the conversation.
			client has an active review, a Review Specialist can request medical notes and clinical specialist reports including Case Reviews. Review Specialists can request these directly from the Clinic, DHB or Specialist.
		NOTE	When should the Review Specialist request that the medical case review is completed by a Recovery Team Member, Cover Assessor, or Treatment and Support Assessor?  The Review Specialist should request the notes or reports unless it was required before the decision was issued and was not requested. For example, clinical advice recommended obtaining a report before issuing a decision but the decision maker proceeded with the decision without it.  Some specialty reports such as External Clinical Advice reports for treatment injury claims, Medical Case Reviews for Work Related Gradual Process Claims, or Permanent Injury Compensation assessments should be requested by the decision making units because they have special referral processes.
		Cre	eate Document Group
	С	Identify	potential resolution options to discuss with the customer/representative.
			solution Agreement Scenarios.pdf
			What are the resolution options?
			<ul> <li>Overturning an incorrect ACC decision</li> <li>Upholding a correct ACC decision, and seeking resolution through settlement</li> <li>Upholding a correct ACC decision, and choosing to progress through ADR or case conference</li> </ul>

#### NOTE What pre-work is required prior to offering resolution agreement?

Complete a risk analysis to ensure the potential resolution agreement is robust. Consider:

- the customer wants
- the ACC regulations
- the possible outcome at review, versus the customer experience
- whether the customer has shown a pattern of seeking monetary resolution without a reasonable basis
- whether the issue has been previously disputed
- whether the customer has a tendency to resort to legal proceedings to resolve disputes where no reasonable basis exists
- that the potential resolution agreement is not detrimental to a customer's entitlements
- any ongoing impact for levy years not part of the original decision.

Once completed consult with a Senior Resolution Specialist to ensure the rational for offering a resolution agreement is robust.

### NOTE What if a potential settlement is over \$2,000 in value?

Email a Resolution Services Team Manager to seek prior approval.

- **d** If the review application is about a decision on a claim, in Eos, add potential resolution options to the PRV REV: Complete an Admin Review task under additional information.
- e If the review application is about a Levy decision, in the administrative review form, add potential resolution options.

► PROCESS

### **Conduct Initial Customer Contact**

**Review Specialist**