

Stabilisation and impairment disputes

Stabilisation refers to the assessment of whether the injuries are stable and unlikely to change significantly. Whole person impairment (WPI) is the assessment of the level of impairment that resulted from the injuries caused by the accident. A WPI rating over the threshold of 10 per cent entitles the claimant to apply for compensation for non-economic loss. An injury must be stabilised before the degree of WPI can be determined. The overall number of assessed stabilisation and impairment dispute outcomes decreased by 19 per cent compared to the previous year.

Stabilisation	2004/05
No injuries were considered stable	37
Some injuries were considered stable	293
All injuries were considered stable	2,622
Subtotal	2,952
Settled/withdrawn/rejected at preliminary assessment/nonassessable	233
Total	3,185

Whole person impairment	2004/05
Not permanent & likely not greater than 10%	48
Not permanent & likely greater than 10%	16
Permanent & not greater than 10%	2,152
Permanent & greater than 10%	567
Subtotal	2,783
Settled/withdrawn/rejected at preliminary assessment/nonassessable	435
Total	3,218
Overall total assessed outcomes	5,735

Earning capacity disputes

Earning capacity assessments determine whether there has been a loss of capacity to earn an income either in the past (from the accident date to the assessment), or in the future (from the assessment onwards). These assessments are non-binding and are indicative for the parties, CARS assessors and the courts. The overall number of assessed earning capacity outcomes decreased by 50 per cent compared to the previous year.

Past earning capacity	2004/05
No Impairment to past EC	52
Impairment to past EC	484
Subtotal	536
Settled/withdrawn/rejected at preliminary assessment/nonassessable	53
Total	589

Future earning capacity	2004/05
No Impairment to future EC	207
Impairment to future EC	351
Subtotal	558
Settled/withdrawn/rejected at preliminary assessment/nonassessable	72
Total	630
Overall total assessed outcomes	1,094

Further medical assessments

Once an assessment has been completed by MAS, either of the parties to the dispute may apply for a 'further medical assessment' if there is a deterioration of the injury if they provide relevant information about the injury.

During the reporting period, 967 applications for further assessment were received. This was a 25 per cent increase compared with the previous period. The applicant's solicitor made most of the applications (82%). There was a minor decrease in the proportion of applications that were accepted for further assessment from 80 per cent to 77 per cent.

Reviews

Once a MAS assessment is completed and the decision has been issued, either party may apply for a review of the MAS decision. A review application will only be accepted if the Proper Officer is satisfied that there is reasonable cause to suspect that the assessment is incorrect in a material respect.

A total of 738 review applications were received during 2004/05, a 13 per cent decrease compared to the previous reporting period.

Review applications accepted	2004/05
Review applications considered	973
Review applications referred to a panel	180
% of applications referred to a panel	18%

Of the 144 review panel decisions issued, 72 (50%) reversed the outcome and in another 49 (34%) an alteration to detail was made to the certificate. For the balance of 23 (16%) the panel confirmed the certificates previously issued.