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Committee Secretary  
Education, Employment and Small Business Committee  
Parliament House  
George Street  
BBRISBANE Qld 4000  
**Via email:** [eesbc@parliament.qld.gov.au](mailto:eesbc@parliament.qld.gov.au)

Dear Committee Secretary

Thank you for providing AMA Queensland with the opportunity to provide feedback on the new *Workers' Compensation and Rehabilitation and Other Legislation Bill 2020* (the Bill).

AMA Queensland is the state's peak medical advocacy group, representing over 9,600 medical practitioners across Queensland and throughout all levels of the health system.

AMA Queensland understands that the objective of the Bill is to provide an alternative claims pathway for first responders who are struggling with PTSD, where it is presumed that they developed PTSD by the traumatic nature of their work, unless it is proved their injury was not caused by their work.

AMA Queensland acknowledges that the current process for filing a workers' compensation claim for a mental health condition can be a daunting process. Physical and psychological workplace injuries are treated differently in the *Workers' Compensation and Rehabilitation and Act 2003* (the Act). When it comes to physical injuries, there is often an instant approval of claim, whereas psychological injuries take at least 60 days and as doctors, it is a known fact that early treatment of all injuries leads to better outcomes. Due to these excessive wait times, doctors often go down the Medicare route with a Mental Health Plan, which is currently limited to finding a bulk billing psychologist, hence the increased wait times for a patient to receive the support they need.

Therefore, AMA Queensland agrees with the proposed changes to the Act, particularly the change to presumptive laws; namely a specific injury (e.g. PTSD) is deemed to be work-related, unless there is evidence to the contrary. However, AMA Queensland believes that these presumptive laws should extend to General Practitioners (GPs). While GPs are not often seen as first responders, in rural and remote Queensland some patients might not have a nearby emergency department to attend, leaving them no choice but to consult with a GP. This leaves GPs at risk of being assaulted or being witness to an extremely traumatising event. Therefore, AMA Queensland advocates that the Committee consider adding GPs to the existing list.

AMA Queensland is supportive of the diagnosis of PTSD by a registered psychiatrist in accordance with the DSM-5, as a psychiatrist diagnosis of PTSD requires exposure to specific traumatic incidents which cannot arise from reasonable management action taken in a reasonable way.

AMA Queensland is overall very supportive of the new presumptive laws and instant approval of claims. However, we believe that there should be a policy which outlines that although the claim is instantly accepted (so to not hold up any required urgent management), there will be a process that will take place following that approval. This means that the policy should outline that the matter will be fully investigated within a reasonable time frame (ie: 30 days) after the initial acceptance.

The policy document should clearly articulate what the claimant's responsibility will be in the event of rejection of the claim, and a case manager should be assigned to 'soften the blow' on an already stressed claimant. Lastly, AMA Queensland believes that an appeals process should be clearly articulated in the policy document in case a person with a non-medical background makes the final call as to whether to accept or reject the claim. If the already stressed claimant has all the facts up front, this will ensure that all dialogue is conducted with empathy, either by the designated case worker or via official correspondence.

Additionally, AMA Queensland would welcome the opportunity to review drafts of the letters that may be sent to claimants if their claim was rejected. AMA Queensland can provide feedback to ensure that wording in the letter is medically appropriate and empathetic for doctors.

The members of AMA Queensland will welcome the changes this Bill introduces as many work on the front line of hospitals and health care settings and have repeated exposure to traumatic incidents, not only from treating patients but also being harassed and bullied by colleagues and working long hours with many fearing negative consequences if they speak up.<sup>1</sup>

The changes within the Bill will allow people who have been diagnosed with PTSD to receive the care and support they need earlier so they can return to work once they have capacity to do so.

Thank you for providing AMA Queensland with the opportunity to provide feedback on this important issue. If you require further information or assistance in this matter, please contact [REDACTED], AMA Queensland Policy Manager on [REDACTED].

Yours sincerely



Dr Chris Perry  
**President**  
**Australian Medical Association Queensland**



Dr Bav Manoharan  
**Executive General Manager & Company Secretary**  
**Australian Medical Association Queensland**

<sup>1</sup> AMA Queensland, 2019 Resident Hospital Health Check Survey Findings. <https://qld.ama.com.au/2019-Resident-Hospital-Health-Check-survey-findings>