



Queensland Treasury

Our Ref: 01680-2016

10 MAY 2016

Mr Scott Stewart MP
Chair
Education, Tourism, Innovation and
Small Business Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Stewart

National Injury Insurance Scheme (Qld) Bill 2016

I refer to the email from Sue Cawcutt, on behalf of the Committee, on 5 May 2016 requesting Queensland Treasury's written comments on issues raised in the submission by close of business Tuesday 10 May 2016.

We have reviewed the 13 submissions provided to the Committee.

A number of submissions comment on eligibility criteria, interim participation, coverage for participants and treatment care and support needs. The NIISQ Bill proposes to be consistent with the agreed National Minimum Benchmarks and interstate schemes in relation to eligibility criteria, interim participation, coverage for participants in Australia and treatment care and support needs (including exclusions). It is proposed that the Regulation will detail factors and considerations for determining 'necessary and reasonable' consistent with the agreed National Minimum Benchmarks.

Submissions on behalf of the legal profession recommend the removal of the restriction on recovery of full lump sum common law damages for treatment care and support needs where a person is contributory negligent greater than 25 per cent. Removal of this limitation alters the policy intent to restrict persons who have materially contributed to their injuries from being able to access a full lump sum payment. The injured person would continue to remain in the NIISQ receiving all necessary and reasonable benefits. The current actuarial modelling has been based on this restriction being in place.

Executive Building
100 George Street Brisbane
GPO Box 611 Brisbane
Queensland 4001 Australia
Telephone +61 7 3035 1933
Facsimile +61 7 3035 3202
Website www.treasury.qld.gov.au
ABN 90 856 020 239

Submissions on behalf of the legal profession recommend an amendment to the Bill to require that the Agency be liable for the cost of supports solely based on a reasonableness basis. The Bill as currently drafted is consistent with other jurisdictions by way of including an affordability safeguard. It is proposed that fees will only be set in the Regulation in the future when experience is known and will take into account rural and regional service provider costs and availability. Without this protection the NIISQ could potentially be exposed to excessive pricing by service providers.

The Community LifeCare & Support Service (CLCS) submission provides a proposal for the CLCS Alliance to manage services on behalf of the NIISQ. It is anticipated there will be strong interest from a number of providers for the provision of services to the NIISQ and this will need to be addressed having regard to proper and transparent procurement processes.

The submissions indicate a number of aspects with the Bill where stakeholders will benefit from future explanation and clarification of legislative intent, rather than actual amendment to the Bill. This can be achieved by way of reference to the Explanatory notes and education by the Agency upon establishment.

I confirm Queensland Treasury's commitment to continue to assist the Committee in its inquiry.

Yours sincerely



 Jim Murphy
Under Treasurer