

Summary

Objective

When a client submits an application for an independence allowance (IA) assessment or reassessment, you must check their eligibility.

Owner

[Name withheld]

Expert

Policy

1.0 Eligibility for an independence allowance

a Clients may be eligible for an independence allowance if their claim has all of the following:

- an accepted cover decision
- a whole person impairment rating of over 10%
- either:
 - a date of injury before 1 April 2002
 - a date of last event (where relevant) prior to 1 April 2002

NOTE What if the injury was willfully self-inflicted?

Refer to the 'Ineligibility if Suicide or Wilfully Self-inflicted Injury' Policy. The claim will need to be considered for disenfranchisement. If the injury meets the criteria in the policy and disenfranchisement hasn't previously been considered - guidance should be sought from Technical Services.

PROCESS Ineligibility if Suicide or Wilfully Self-inflicted Injury

NOTE What if the injury was sustained while committing a crime?

Refer to the 'Injured Committing Crime Policy'. The claim will need to be considered for disenfranchisement. If the injury meets the criteria in the policy and disenfranchisement hasn't previously been considered - guidance should be sought from Technical Services.

PROCESS Injured Committing Crime Policy

NOTE What if I need to seek guidance from Technical Services on disenfranchisement?

Refer to the 'Seek Internal Guidance' process

PROCESS Seek Internal Guidance

b See the full list of independence allowance eligibility criteria in the business rule below.

Single independence allowance eligibility requirement

c See also the transitional provisions for lump sum entitlements in the AC Act 2001, Schedule 1, part 3, clauses 55 and 55a.

AC Act 2001, Schedule 1, Part 3, Clause 55

https://www.legislation.govt.nz/act/public/2001/0049/latest/DLM105411.html?search=ts_act%40bill%40regulation%40deem

AC Act 2001, Schedule 1, Part 3, Clause 55a

https://www.legislation.govt.nz/act/public/2001/0049/latest/DLM1663927.html?search=ts_act%40bill%40regulation%40deem

Lump sum checklist.doc

2.0 Impairment assessment and whole person impairment rating

a To determine the whole person impairment rating of a client, the client must have an impairment assessment.

Types of impairment assessment

b To be eligible for an initial impairment assessment, the client must meet the criteria listed in the following business rule, which includes having medical certification of a permanent an impairment.

Eligibility to an initial impairment assessment




c An impairment assessment can only be completed by an impairment assessor who meets the criteria in the business rule below.

Requirements for an assessor to perform an impairment assessment

d In some situations the whole person impairment rating must take into account any previous whole person impairment ratings. See the following business rule.


Determining the whole person impairment rating by taking into account a previous rating

3.0 Medical certification of permanent and stable impairment


- a** A person must be considered to have medical certification of a permanent impairment for an independence allowance entitlement if a medical practitioner supplies the relevant information to ACC. The relevant information is listed in the business rule below.
 -  Information needed to confirm medical certification of a permanent impairment for an independence allowance
- b** The ACC554 Application medical certificate form is used to capture the relevant information needed.
 -  ACC554 LSIA Medical certificate
 -  ACC554 required method for supplying medical information for an impairment assessment
- c** You must decline the client's application if the information provided on the ACC554 Application medical certificate does not meet the criteria for assessment.

See Accident Insurance Act 1998, Schedule 1, part 4, clause 59.


4.0 Reassessment

- a** See the 'Independence Allowance Reassessment Policy'
 -  Independence Allowance Reassessment Policy



5.0 Overseas clients

- a** Clients based overseas are eligible to have their impairment assessed or reassessed for an IA if:
 - they meet the standard eligibility criteria
 - the medical practitioner completing the ACC554 medical certificate meets both the following criteria:
 - holds registration in the country in which they are practising
 - holds a medical degree from a medical school approved by the New Zealand Medical Council. This includes universities listed in the WHO World Directory of Medical Schools.
- b** Financial help for an impairment assessment overseas or for travel to New Zealand for an impairment assessment must be approved by the Technical Services team and must be cost effective. See the following business rule.
 -  Impairment assessment extended discretion request

6.0 Deceased clients

- a** Estates may be eligible to receive payments for deceased clients. Different rules apply depending on when a client has died, the support applied for, and the stage in the support process. Refer to IA deceased clients.
 -  Deceased Client Policy

7.0 Functional limitations profile (FLP) IA

- a** When American Medical Association (AMA) assessments were introduced in 1997, clients receiving FLP IA were required to be reassessed under AMA. Prior to the FLP payments being stopped, ACC was obliged to both ask the client to submit an application to be assessed under AMA (an ACC554 Medical Certificate) and subsequently warn the client that if they did not comply to this request, their independence allowance would be stopped. When the payment was stopped, a final letter should have been issued informing the client of this.
- b** If the above steps were not followed at the time of the suspension, the client may be eligible to receive arrears of the FLP IA. To determine if arrears should be paid and from what date, a referral must be made to technical services via the 'Seek Internal Guidance' process.
 -  Seek Internal Guidance
- c** If technical services recommend that FLP IA arrears be paid, an impairment assessment must be completed to determine the client's eligibility for AMA IA, and the client warned that if they do not comply with the reassessment, their FLP entitlement will be suspended. See the 'Make Functional Limitations Profile Independence Allowance Payments' process for instructions.
 -  Make Functional Limitations Profile Independence Allowance Payments
- d** Alternatively, the FLP IA arrears may be paid following an impairment assessment, at the time of the AMA IA eligibility decision. This presents a simpler pathway - both paying the FLP IA arrears and moving to AMA IA in one go - but it also may not be appropriate to delay payment of the FLP arrears depending on the client's financial circumstances. Either pathway can be chosen as is seen fit - use discretion.