

# Lifetime Care and Support (Catastrophic Injuries) Medical Treatment Including Pharmaceuticals Guidelines 2025\*

Disallowable instrument DI2025–280

made under the

Lifetime Care and Support (Catastrophic Injuries) Act 2014, section 93 (LTCS guidelines)

---

## 1 Name of instrument

This instrument is the *Lifetime Care and Support (Catastrophic Injuries) Medical Treatment Including Pharmaceuticals Guidelines 2025*.

## 2 Commencement

This instrument commences on the day after its notification.

## 3 Guidelines

I make the guidelines attached to this instrument. The guidelines are Part 22, Medical Treatment including Pharmaceuticals) of the LTCS Guidelines made under the *Lifetime Care and Support (Catastrophic Injuries) Act 2014*.

Nicola Clark  
Lifetime Care and Support Commissioner of the ACT

14 October 2025

\*Name amended under Legislation Act, s 60

## **Part 22: Medical treatment including pharmaceuticals**

This Part of the Lifetime Care and Support Guidelines is made under section 93 of the *Lifetime Care and Support (Catastrophic Injuries) Act 2014* (the LTCS Act).

Part 22 of the Lifetime Care and Support Guidelines (the LTCS Guidelines) applies to any assessment of treatment and care needs relating to medical treatment made on and from the date of commencement of the part in respect of any participant in the Lifetime Care and Support Scheme (the LTCS Scheme), whether interim or lifetime, and whether accepted into the LTCS Scheme before or after that date.

The Lifetime Care and Support Commissioner (the LTCS Commissioner) may waive observance of any part or parts of this Guideline. Waiving observance of all or part of this Guideline in any particular circumstances is not an indication that the LTCS Commissioner will waive observance of this part or any other parts of the Guidelines in other circumstances.

### **1 Reasonable and necessary medical treatment**

1.1 The LTCS Commissioner considers medical treatment to be reasonable and necessary when treatment is:

- a) required as a result of the motor accident injury or work injury; and
- b) provided by a medical practitioner who is appropriately qualified and registered under the relevant regulation agency.

1.2 The LTCS Commissioner considers reasonable and necessary medical treatment to include:

- a) medical and surgical treatment;
- b) pharmaceuticals;
- c) diagnostic tests such as imaging services;
- d) inpatient or outpatient treatment provided by a hospital;
- e) medical treatment, reports, case conferences or other contact with other professionals treating the participant; and
- f) other specialised medical treatment such as assisted fertility treatment and treatment for chronic pain.

1.3 The LTCS Commissioner considers reasonable and necessary medical treatment does not include:

- a) a treatment or service not in accordance with the Medical Benefits Schedule (MBS), which contains explanations, definitions, rules and conditions for services provided by medical practitioners, unless otherwise specified by the LTCS

Commissioner;

- b) a treatment or service without an MBS code;
  - c) a treatment or service where there is no published peer-reviewed evidence relating to its safety or effectiveness;
  - d) a treatment or service for any other member of the participant's family unless the family member or partner is the recipient of assisted fertility treatment in accordance with 5.6 below; and
  - e) a treatment or service that is of no clear benefit to the participant.
- 1.4 The LTCS Commissioner considers reasonable expenses in relation to the participant's assessed treatment and care needs in relation to medical treatment will not include:
- a) fees associated with medico-legal reports or any medical reports not requested by the LTCS Commissioner;
  - b) additional expenses incurred while receiving inpatient or outpatient medical treatment such as food, laundry, television, phone and internet charges; and
  - c) non-attendance fees where a participant failed to attend unless the reason for non-attendance is beyond the participant's control.

## **2 Method of assessment and criteria used to determine reasonable and necessary treatment and care needs for or in connection with medical treatment**

- 2.1 The LTCS Commissioner's assessment of a participant's treatment and care needs for or in connection with medical treatment must:
- a) be made in consultation with the participant and medical practitioner; and
  - b) take into account the participant's individual needs for medical treatment in the context of other treatment and services provided.
- 2.2 Information required by the LTCS Commissioner to make an assessment may include:
- a) information relating to the medical treatment that has an item number in the MBS;
  - b) information about pre-existing or co-existing medical conditions;
  - c) information from a medical practitioner as to the likely cause of the presenting medical treatment, if the participant has pre-existing or co-existing medical conditions that may impact on their needs for medical treatment or pharmaceuticals;
  - d) clinical assessments and reports;
  - e) justification for the proposed treatment, including the relationship to the motor accident injury or work injury; reasonable and necessary criteria listed in Part 6 of the LTCS Guidelines; and
  - f) justification for the treatment process, including any associated medical treatment as part of an overall treatment plan.

- 2.3 The LTCS Commissioner follows the below procedures when making an assessment:
- a) the medical treatment must be prescribed by an appropriate specialist or medical practitioner registered with the Australian Health Practitioner Regulation Agency (AHPRA) or other appropriate professional body if the participant resides outside Australia;
  - b) the treatment must be requested prior to commencement, unless the treatment is urgent or delivered under an existing fee schedule; and
  - c) the medical practitioner or specialist is to provide medical services using the Australian Medical Association (AMA) item numbers, where there is a corresponding Medical Benefits Schedule (MBS) number.

### **3 Reasonable and necessary pharmaceuticals**

- 3.1 The LTCS Commissioner considers reasonable and necessary pharmaceuticals include:
- a) prescription pharmaceuticals;
  - b) over-the-counter medications;
  - c) prescribed vitamins and supplements, including health products such as fibre laxatives or probiotics;
  - d) topical skin creams such as sorbolene; and
  - e) other items such as consumable preparation solutions for a medical procedure.
- 3.2 Bandages, dressings and other wound care items, and consumable items for continence needs, may either be pharmaceuticals or aids and appliances (equipment) under Part 13 of the LTCS Guidelines.
- 3.3 The LTCS Commissioner considers reasonable expenses in relation to the participant's assessed treatment and care needs in relation to pharmaceuticals will not include:
- a) pharmaceutical expenses that form part of the bed day fee in a hospital or inpatient rehabilitation facility;
  - b) toilet paper, shampoo or other items for personal grooming;
  - c) any other standard items able to be purchased from a pharmacy such as cosmetics, food and beverages;
  - d) sunscreen, which is regarded a standard household cost unless prescribed for scar management;
  - e) contraceptive prescriptions; and
  - f) any pharmaceuticals that are illegal.

### **4 Method of assessment and criteria used to determine reasonable and necessary treatment and care needs for or in connection with pharmaceuticals**

- 4.1 The LTCS Commissioner follows the below procedures when assessing treatment and

care needs for or in connection with pharmaceuticals:

- a) pharmaceuticals must be prescribed by an appropriate medical practitioner registered with the Australian Health Practitioner Regulation Agency (AHPRA) or other appropriate professional body if the participant resides outside Australia;
- b) the participant's treating medical practitioner may be requested to provide a list of pharmaceuticals related to the motor accident injury or work injury before the LTCS Commissioner is able to assess a participant's needs for pharmaceuticals; and
- c) the pharmaceuticals must be provided by an appropriate pharmacist registered with the appropriate professional body (unless the participant resides outside Australia).

## **5 Reasonable and necessary assisted fertility treatment**

5.1 The LTCS Commissioner considers assisted fertility treatment to be reasonable and necessary when:

- a) the need for the assisted fertility treatment arises from the motor accident injury or work injury;
- b) a referral is made by a suitably qualified fertility medical specialist; and
- c) a suitably qualified fertility medical specialist has prescribed the most appropriate fertility treatment for the participant and their partner.

5.2 The LTCS Commissioner considers reasonable and necessary assisted fertility treatment to include:

- a) fertility medication, ovulation induction or assisted insemination;
- b) in-vitro fertilisation (IVF) treatment;
- c) assisted ejaculation or obtaining sperm by other means such as testicular aspiration;
- d) egg and sperm storage. The length of time that storage is paid for by the LTCS Commissioner will depend on individual circumstances and the advice of the fertility medical specialist;
- e) obtaining donor eggs or sperm, including retrieval and storage, in circumstances where a participant is unable to produce viable eggs or sperm as a result of the motor accident injury or work injury;
- f) fertility counselling only as an inclusive component of the assisted fertility intervention for a participant and or their partner; and
- g) all other forms of assisted fertility or assisted reproductive technology treatment.

5.3 The LTCS Commissioner considers reasonable and necessary assisted fertility treatment does not include:

- a) surrogacy, whether commercial or altruistic surrogacy;
- b) assisted fertility intervention to address the fertility needs of the participant's partner if these are not the result of the motor accident injury or work injury;

- c) any treatment or service where there is no objective evidence that the treatment or service is safe and effective;
  - d) any treatment or service that is experimental or not consistent with intervention offered to the general community;
  - e) counselling for a participant's partner which is not inclusive of the assisted fertility treatment program;
  - f) membership of fertility support/self-help groups for participants or their partners;
  - g) any treatment or service that is not consistent with the guidelines of the assisted fertility treatment facility that the participant and their partner are attending;
  - h) any treatment or service that is inconsistent with relevant State or Commonwealth legislation; and
  - i) any assisted fertility treatment that is elective, or for medical conditions not related to the motor accident injury or work injury, such as pre-implantation genetic diagnosis.
- 5.4 The LTCS Commissioner considers reasonable expenses in relation to the participant's assessed treatment and care needs in relation to assisted fertility treatment will not include:
- a) the costs of raising a child; and
  - b) the costs associated with the pregnancy and birth of the baby conceived through assisted fertility treatment that are not related to the motor accident injury or work injury, such as obstetrician, hospital, midwife and/or other birthing costs.
- 5.5 The LTCS Commissioner considers reasonable and necessary assisted fertility treatment to include a reasonable number of IVF treatments per pregnancy attempt, in line with usual practice. The LTCS Commissioner will consider up to 5 stimulated cycles per pregnancy attempt to be reasonable and necessary. If over 5 stimulated cycles are required, the LTCS Commissioner will consider the recommendation of the fertility medical specialist in determining whether further treatments are reasonable and necessary.
- 5.6 The LTCS Commissioner will consider it reasonable and necessary for both the participant and the participant's partner to receive assisted fertility treatment when it is the participant's fertility status that is affected by the motor accident injury or work injury.

## **6 Method of assessment and criteria used to determine reasonable and necessary treatment and care needs for or in connection with assisted fertility treatment**

- 6.1 Information required by the LTCS Commissioner to assess a participant's treatment or care need for or in connection with assisted fertility treatment may include:
- a) information about the relationship between the participant's need for fertility treatment and their motor accident injury or work injury;
  - b) the likely permanence of the participant's compromised fertility status;

- c) the nature and extent of treatment that the participant and partner will require;
- d) the anticipated outcome and success rate of the assisted fertility treatment;
- e) information about any other treatment or services that may impact on the proposed treatment; and
- f) any other relevant information relating to the participant's or their partner's fertility status.

| <b>Applicable provisions of the LTCS Act</b> |                    |
|--|--------------------|
| Part 22 - LTCS Guidelines                    | LTCS Act reference |
| Medical treatment including pharmaceuticals  | Sections 9, 23     |