

Australian Capital Territory

Motor Accident Injuries (Quality of Life Benefit) Guidelines 2022

Disallowable instrument DI2022-22

made under the

Motor Accident Injuries Act 2019, section 487 (MAI guidelines)

EXPLANATORY STATEMENT

Section 487 of the *Motor Accident Injuries Act 2019* (MAI Act) enables the MAI Commission to make guidelines (the MAI guidelines) about any matter required or permitted by the MAI Act to be included in guidelines.

The guidelines provide guidance to insurers about their obligations to provide information and support to potential applicants for quality of life benefits and persons eligible to make a motor accident claim, and to arrange whole person impairment assessments.

The guidelines have been updated to further clarify when an information pack about applying for a quality of life benefit must be provided to an injured person. In addition, the processes for making referrals to an authorised IME provider for whole person impairment assessments have also been improved by:

- allowing additional time for an insurer to gather and review information to better inform the referral for an assessment;
- requiring referrals to be made using a form provided by the IME provider; and
- notifying the applicant of the injuries and body systems, and medical information, included in the referral.

The 2019 guidelines were made before the MAI Scheme commenced. The updates are intended to ensure operations of the scheme are optimal. The 2019 guidelines will be revoked on the commencement of the new guidelines.

The instrument also revokes guidelines made in connection with the COVID-19 pandemic in 2020. Though the Public Health Emergency declaration remains in effect, four MAI guidelines have been updated to accommodate emergency provisions and thus a separate guideline specifically for COVID-19 is no longer required.