

Australian Capital Territory

Lifetime Care and Support (Catastrophic Injuries) (Home Modifications) Guidelines 2023

Disallowable instrument DI2023–7

made under the

Lifetime Care and Support (Catastrophic Injuries) Act 2014, section 93 (Making of Guidelines)

EXPLANATORY STATEMENT

These guidelines amend the LTCS Guidelines (Part 14) made under the *Lifetime Care and Support (Catastrophic Injuries) Act 2014* (LTCS Act) when the LTCS Scheme commenced on 1 July 2014.

Section 93 of the LTCS Act allows the Lifetime Care and Support Commissioner of the Australian Capital Territory (LTCS Commissioner) to make Guidelines.

The LTCS Act has been modelled on the NSW *Motor Accidents (Lifetime Care and Support) Act 2006*. In order to provide consistent treatment and care for persons catastrophically injured in motor accidents and work injuries in the region, the LTCS Guidelines have largely adopted the NSW Guidelines, but with minor changes to reflect the differences contained in the LTCS Act.

The LTCS Guidelines have been developed to meet the minimum benchmarks established for the National Injury Insurance Scheme, which is a federated model of state and territory based no-fault schemes providing lifetime care and support for people who have sustained a catastrophic motor accident or work injury. Under the National Injury Insurance Scheme eligible persons suffering catastrophic injuries will have a minimum level of entitlement to receive reasonable and necessary treatment and care. The levels of treatment and care to be provided are specified in detail in these Guidelines.

Detailed explanation

Part 14 Home modifications

This Part sets out the criteria the LTCS Commissioner applies when assessing home modification benefits participants may be eligible to receive under the LTCS Scheme.

This guideline provides the following key changes to the existing guidelines:

- changes to the definitions of minor home modifications (1.2(a)) and major home modifications (1.2(b));
 - a) minor home modifications do not alter the external structure of a home, are not complex and have a cost limit of \$30,000
 - b) major home modifications involve alterations to the internal or external structure of a home, are complex and cost over \$30,000
- increased funding for home modifications to a rental property, being \$15,000 for each year of a lease (6);
- confirmation that interim accommodation expenses, will be funded for up to 9 months for the participant and those living with them at the time of the accident while a home modification is being undertaken making the home inaccessible or uninhabitable (5);
- clarification of funding for relocation costs if a home is not suitable for modification (7);
- clarification of funding for home modifications when a participant buys another home (8) or a new home build off the plan (9); and
- simplification of LTCS Scheme contribution to energy bills (35%) when room temperature control equipment is required as an injury related need (10.5)