

Australian Capital Territory

Motor Accident Injuries (Treatment and Care) Guidelines 2023

Disallowable instrument DI2023-310

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 pay treatment and care benefits including making decisions about whether the treatment and care is reasonable and necessary, in relation to a recovery plan, and verifying treatment and care expenses.

The guidelines have been updated to:

- reflect an additional power to suspend benefits;
- provide for an early assessment of an applicant's recovery prospects;
- streamline and clarify the process for developing a recovery plan; and
- clarify how a request for the approval of treatment and care is handled if additional information is required by the insurer to support the request.

The 2021 guidelines will be revoked on the commencement of the new guidelines. The instrument will commence 28 days after notification to allow insurers to make internal changes to their processes and procedures.

Consultation on the proposed approach

Consultation was undertaken with relevant stakeholders in updating the guidelines. Comments were incorporated where appropriate.