

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2003-2004 ADDITIONAL ESTIMATES HEARING
19 FEBRUARY 2004**

EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

QUESTIONS ON NOTICE

Outcome: Agencies

Question Number: W327-04

Question:

Senator Harradine asked in writing:

How many claims have been made to Comcare for Occupational Overuse Injury or similar conditions over the past five years? Of OOI claims not accepted or claims which Comcare has determined to discontinue accepting liability for, how many of these are successfully appealed?

Answer:

Occupational Overuse Syndrome (OOS) type claims represent approximately 11% of claims received over the last five years. The key cause of this gradual onset type injury relates to activities involving repetitive movement with low muscle loading. Table A shows OOS claim receipts, Table B relates to claims that were originally not accepted and Table C discontinued claims.

Table A

Fin Year Claim Recd	OOS Claims received
1998/1999	851
1999/2000	692
2000/2001	648
2001/2002	786
2002/2003	901
2003/2004	547

Data as at end January 2004

Table B

Year Claim Received	OOS claim rejected	Claims where decision reconsidered and varied in favour of claimant at first level of appeal	Claims where decision made in favour of claimant at second level of appeal (AAT)
1998/1999	73	10	5
1999/2000	71	6	8
2000/2001	60	8	3
2001/2002	67	11	3
2002/2003	65	10	2
2003/2004	31	4	0
Totals	367	49	21

Data as at end January 2004

Table C

Year Claim Received	OOS Claims which were originally accepted and then ongoing access to benefits ceased via a formal determination	Claims where decision reconsidered and varied in favour of claimant at first level of appeal	Claims where decision made in favour of claimant at second level of appeal (AAT)
1998/1999	52	7	4
1999/2000	36	6	6
2000/2001	39	4	3
2001/2002	54	7	1
2002/2003	33	3	0
2003/2004	5	0	0
Totals	219	27	14