

# NT WorkSafe



A guide for Doctors  
involved in the  
Northern Territory Workers'  
Compensation Scheme



# Contents

The Workers' Compensation Medical Certificate	6
Modified / Alternative duties	9





Workers' compensation in the Northern Territory is administered by NT WorkSafe through the provisions of the *Workers Rehabilitation and Compensation Act*.

You are the "gate keepers" of the scheme, with no other medical or paramedical group being afforded equivalent powers.

This places you in a privileged position when it comes to workers' compensation matters, as under the Northern Territory's legislation only you have the authority to issue medical certificates for lost time by injured or ill workers.

With such powers comes a number of responsibilities to ensure that an injured or ill worker receives appropriate, timely and effective treatment during their period of injury or illness.

In addition to a worker's treatment regime you may also consider:

- assisting those workers with time loss claims to achieve an early return to the workforce by recommending appropriate medical and/or vocational rehabilitation intervention;
- discussing the worker's duties with the employer to ascertain what work alternatives are available should the worker not be able to immediately return to their normal duties; and
- recommending to the employer suitable duties that may be undertaken by the worker should a graduated return to work be necessary.



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You have two other responsibilities, which are to liaise with insurers and provide prompt medical reports when necessary. These are important duties and can save a workers' compensation claimant from considerable financial hardship if completed in an appropriate manner.

Insurers will pay for your services but they need to be consulted when wider, costly, ongoing treatment regimes are proposed.

Discussion with an insurer at an early stage may often clarify and resolve any possible issues in respect of a workers' compensation claim.

## The Workers' Compensation Medical Certificate

Doctors are the only people permitted to issue medical certificates for lost time injuries or illnesses in workers' compensation cases.

The issue of the workers' compensation medical certificate is the single most important administrative matter to be addressed in the processing of a workers' compensation claim. Medical certificates are crucial for conveying information to all relevant parties.

It is important that you take the time to properly complete this medical certificate as this document forms a vital part of the worker's claim.

Partially completed medical certificates can lead to a worker's claim being rejected or lead to a delay in payment of benefits, which in turn can cause considerable financial hardship for the worker.

Sometimes workers do not clearly communicate to the doctor that their condition is work related, or perhaps they are unaware that they need a particular certificate. You should clarify the cause of the injury/illness with a worker, as this can make all the difference to the administrative progress of a worker's claim.

One of the main issues identified in Dr Lord's Review of Medical and Associated Intervention in the Northern Territory (Dec 2001), was that of the 'causation' of the injury. Our workers' compensation insurers expressed concerns that doctors, who have to provide them with a workers' compensation medical certificate, relied too heavily on the worker's view on what caused the injury and that they rarely investigated the matter further, for example by discussing it with the employer.

Dr Lord recommended that best practice would be that if an injured worker's GP has doubt as to what caused the injury they should contact the worker's employer and discuss the situation prior to completing the workers' compensation medical certificate.

Dr Lord commented that doctors should make every effort to provide the insurer, when necessary, with the completed medical certificate as quickly as possible 'before a claim is well established in the mind of the injured worker and the treating practitioner'. That way if further enquires are warranted, the insurer can contact the doctor and resolve any issues as quickly as possible.



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NT WorkSafe is aware that the medical certificate is a comprehensive document. However, its full completion at the outset can lead to a reduction in time spent on a matter in the long run, as insurers will have no need to contact you with their queries.

The medical certificate asks you if you consider a condition is, or is not, consistent with the cause stated by a worker. It is important that you provide your **firm opinion** in this regard. Liability is not only determined by a worker's injury or illness, but must take into account the relationship between the injury or illness, and a worker's employment. If you have concerns about causation or the validity of a worker's claims, there is provision for comment on the first medical certificate.

When recording your diagnosis on the medical certificate it is important that you use definitive, and not generic terms (such as "stress" or "medical condition"), as these are unacceptable and may lead to delays in dealing with a claim.

If there is any area on the medical certificate with insufficient space, you should attach a handwritten note and refer to it on the face of the certificate. It is important that you provide detailed advice in respect of the worker's condition.

The Northern Territory's workers' compensation scheme has **early return to work** as one of its desired outcomes. Therefore, your focus should be one of what an injured worker can do (capacity), rather than what a worker cannot do (incapacity).

The medical certificate seeks your assistance in ensuring that the earliest possible return to work is obtained for your patient.

It is not only the worker's physical well-being that is in your hands, you can also have a huge impact on the worker's economic and social well-being.

If an injured worker is unable to return to work, the first medical certificate recommends a review by the doctor within 14 days.

For more information please contact the Rehabilitation and Workers' Compensation unit at NT WorkSafe on 1800 250 713.

## Modified / Alternative duties

When issuing a medical certificate for a worker's incapacity, you should consider the worker's capacity for modified or alternative work.

You should not automatically certify an injured worker as totally unfit for work. As soon as the worker's health permits you should certify an injured worker as partially fit, that is, fit for **suitable duties** for a specified period.

Suitable duties should be specific to the individual, their injury and the industry in which they work. This means that you should enquire about the duties a worker



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performs and any alternatives available. It is not sufficient to write a certificate for “light” or “restricted” duties. It may be necessary (and indeed is preferable) to contact the employer to discuss the availability of alternative duties.

There is an expectation under the Work Health Scheme that employers will make suitable duties available to workers following injury. In some cases, an injured worker will report that there are no “light” duties available at the workplace. On the other hand, you may write a suitable duties certificate and later be contacted by the employer who may say that no suitable duties are available and request that the certificate be altered to “unfit”.

**If a person is fit for suitable duties, write a certificate saying so.**

If duties are not available, it is the employer’s responsibility to send the person home.

In cases that are more complex, it may be appropriate to refer the worker for vocational rehabilitation services. It is important that such a referral be made to an **accredited** vocational rehabilitation provider. If you have any doubt as to their accreditation status, you should contact NT WorkSafe.



**For further information see our website**

**[www.worksafe.nt.gov.au](http://www.worksafe.nt.gov.au)**

**or call NT WorkSafe on our toll free number**

**1800 250 713 (Australia wide)**