

Has WorkCover cut you off?

Have you been receiving workers' compensation benefits for an injury you had at work? Have WorkCover Queensland just cut you off from those benefits?

If you disagree with **WorkCover Queensland's** decision to cut your benefits you can request a review of the decision with the **Workers Compensation** Regulator. This request must be made within three (3) months of you receiving **WorkCover Queensland's** decision.

Alternatively, if you do not want to review the decision you can ask for an assessment of your permanent impairment.

An assessment for permanent impairment must be conducted by an accredited **WorkCover** physician. This will only be determined after your health status is deemed as stable and is unlikely to improve despite further treatment.

Once you have been assessed for permanent impairment **WorkCover Queensland** will offer lump sum compensation. You may receive a document called a "Notice of Assessment", which you must respond to within twenty eight (28) days, otherwise, the offer will be deferred. Once the Notice is deferred you cannot ask to review the assessment of permanent impairment.

With an impairment of less than 20%, you will have to choose between accepting the lump sum or pursuing common law damages. You cannot do both. It is imperative that you seek advice from **McNamara & Associates** to ensure that you make the best decision.

A claim for common law damages may be filed if the **accident** was due to someone else's fault. However, you may also file a claim even if you are "partly" to blame for the injury.

Compensation may include:-

- 1. past and future medical expenses which includes rehabilitation and travelling for medical treatment;**
- 2. degradation of quality of life which lead to inability to do recreational and leisurely activities;**
- 3. psychological trauma; and**
- 4. wages lost (past and future).**

Even at 0% impairment, a claim for common law damages may still be pursued, unless your injury occurred between 15 October 2013 and 31 January 2015.

Our Offices:

Liability limited by a scheme approved under professional standards legislation.

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