

# **Managing the Provision of Health Practitioner Assessments**

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# Policy

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## 1. Purpose

1.1 This Policy provides guidance on managing the timely provision of **health practitioner** assessments.

1.2 Health practitioner assessments are needed for a variety of purposes including:

- considering whether an injury or illness or death is **service-related**
- determining the level of whole-person impairment arising from an injury or illness (e.g. for determining level of impairment compensation, or entitlement to travel allowance)
- assessing a **veteran's** ability to work full-time
- identifying a veteran's treatment, social and vocational rehabilitation needs
- identifying the vocational services and assistance needed for an eligible spouse or **partner** of a Scheme Two veteran. To be eligible the veteran must have injury or illness resulting from **qualifying operational service** that makes the veteran unable to work full-time or unable to undertake vocational rehabilitation. A spouse or partner is also eligible if the veteran has died and their death is a service-related death.

1.3 This Policy provides guidance on:

- setting expectations about the timeframe in which assessment reports are to be provided
- the payment for the assessment appointment and assessment report
- the follow-up action to be taken if an assessment report is not received within the specified timeframe
- when Veterans' Affairs will arrange for another health practitioner to undertake a new assessment and prepare an assessment report if the original health practitioner fails to provide an assessment report.

## 2. Legislative reference

2.1 Relevant legislation is:

- section 12 of the Veterans' Support Act 2014.

### 3. Veterans' Affairs has a responsibility to progress claims in a timely manner

3.1 Veterans' Affairs has a duty to:

- perform its functions in making decisions on **claims** in a timely manner
- ensure that a decision on a claim for an entitlement is made as soon as practicable after receiving the claim.

*Section 12 of Veterans' Support Act 2014*

### 4. Setting expectations for the provision of assessment reports

4.1 Health practitioner assessments provide key information Veterans' Affairs needs in order to establish eligibility for entitlements and services under the Veterans' Support Act 2014.

4.2 It is important that assessment reports are prepared in close proximity to the assessment appointment occurring so that the details of the veteran's condition and any relevant observations are accurately captured, minimizing the risk of information being overlooked or forgotten. This ensures that the assessment report provides a current and comprehensive understanding of the veteran's health status and/or treatment and rehabilitation needs, facilitating prompt decision-making by Veterans' Affairs regarding entitlements and support services.

4.3 Claims for entitlements often cannot be progressed until an assessment occurs and Veterans' Affairs receives the resulting assessment report. Timely preparation of assessment reports helps maintain the integrity and efficiency of the claims process, reducing unnecessary delays and ensuring veterans and **other claimants** receive the assistance they need without undue hardship.

4.4 Veterans' Affairs will communicate the importance of timely provision of assessment reports to health practitioners and set clear expectations of the timeframe in which assessment reports need to be provided following the assessment appointment.

4.5 In setting the assessment timeframe (a clear date), Veterans' Affairs will take into account:

- the number of individual conditions being assessed
- the nature and complexity of the condition(s) being assessed
- whether there is a need to obtain laboratory tests and/or scans.

4.6 Veterans' Affairs will ask health practitioners to confirm that they will be able to provide the assessment report within the specified timeframe after the assessment appointment has occurred.

- 4.7 If a health practitioner indicates that the assessment report cannot be provided in the specified timeframe, Veterans' Affairs will consider whether the timeframe proposed by the health practitioner is reasonable under the circumstances.
- 4.8 If Veterans' Affairs considers the timeframe to be reasonable, it will proceed with arranging the assessment appointment.
- 4.9 If Veterans' Affairs considers that the timeframe is not reasonable, Veterans' Affairs will seek to engage a different health practitioner to undertake the assessment.

## **5. Payments for appointment and assessment report**

- 5.1 Veterans' Affairs may require a veteran or other claimant to undergo an assessment by a health practitioner. In such cases, Veterans' Affairs will pay the cost of both the appointment in which the assessment occurs and the assessment report prepared by the health practitioner documenting the assessment.
- 5.2 Veterans' Affairs may pay the cost of the appointment and assessment report separately.

### **Payment of the cost of the assessment appointment**

- 5.3 Most health practitioners expect the cost of the appointment to be paid immediately following an appointment.
- 5.4 In New Zealand Veterans' Affairs will normally pay for the appointment directly. On some occasions a specialist may require a veteran to pay for the appointment on the day. In such cases, the veteran will need to seek reimbursement from Veterans' Affairs.
- 5.5 Veterans' Affairs has an arrangement with the Australian Department of Veterans' Affairs (DVA) that enables the appointment to normally be paid for by DVA. Veterans' Affairs then reimburses DVA. On some occasions DVA is not able to pay a specialist. In such cases, the veteran will need to pay for the appointment on the day and seek reimbursement from Veterans' Affairs.
- 5.6 Veterans living in other overseas countries will normally need to pay for the appointment and seek reimbursement from Veterans' Affairs.
- 5.7 It is important that the cost of the appointment not be a barrier to a veteran's or other claimant's attendance. Consequently, if a veteran or other claimant is unable to cover the cost of the appointment or paying the cost would cause financial hardship, Veterans' Affairs will pay the health practitioner directly. Payment of the cost of the appointment may occur in advance of the appointment if this is required by the health practitioner.

### **Payment of the cost of the assessment report**

- 5.8 Payment of the cost of the assessment report will occur once the completed report has been received by Veterans' Affairs.

## **6. Follow-up action if assessment report not provided**

- 6.1 If an assessment report is not received within the specified timeframe, Veterans' Affairs will follow-up with the health practitioner to remind them of the outstanding assessment report.
- 6.2 Circumstances may arise that, through no fault of their own, prevent a health practitioner from providing the assessment report within the timeframe that Veterans' Affairs set.
- 6.3 Examples of good reasons for not being able to provide the assessment report within the timeframe that has been set include:
- Illness, medical emergencies or hospitalizations
  - unforeseen family emergencies or caregiving responsibilities
  - delays in necessary laboratory tests and/or scans (x-rays, CT scans, MRIs)
  - natural events such as earthquakes, flooding, etc.
- 6.4 If there is good reason why the health practitioner is not able to meet the timeframe set, Veterans' Affairs will set a new specified timeframe taking into account the health practitioner's particular circumstances.
- 6.5 If the health practitioner does not have a good reason for not meeting the timeframe set, Veterans' Affairs will:
- advise the health practitioner of the impact the delay in receiving the assessment report is having on the veteran's or other claimant's claim or ongoing eligibility for an entitlement
  - set a new timeframe of no more than one month
  - advise the health practitioner that, if the assessment report is not received by this deadline, Veterans' Affairs will not pay for the assessment report and will engage another health practitioner to undertake the assessment.

### **Keeping the veteran and other claimant informed**

- 6.6 Veterans' Affairs will notify the veteran or other claimant about the delay in receiving the assessment report and what the new timeframe that has been set is. Veterans' Affairs will advise the veteran or other claimant that if the assessment report is not forthcoming by this new deadline, Veterans' Affairs may have to arrange for a new assessment to be undertaken by a different health practitioner.
- 6.7 If a veteran or other claimant wishes to do so, they can contact the health practitioner directly to request information about when the report will be provided to Veterans' Affairs.

## **7. Cancelling original assessment report**

- 7.1 The longer the delay between the appointment and the assessment report being written, the more likely it becomes for a veteran's condition to change or worsen, potentially impacting the accuracy and relevance of the assessment. Additionally, prolonged delays may lead to increased frustration and anxiety for a veteran, as well as potential financial hardships if the assessment is required for accessing entitlements or support. Therefore, submission of assessment reports within a reasonable timeframe is crucial to ensure veterans and other claimants receive the support and care they need in a timely manner.
- 7.2 In some cases a health practitioner will fail to provide an assessment in a reasonable timeframe.
- 7.3 If the original health practitioner engaged to undertake the assessment does not provide the assessment report by the end of time extension without good reason, it will be necessary to cancel the assessment report and arrange for another assessment by a different health practitioner. This is to ensure protracted delays do not continue and that Veterans' Affairs can obtain the information necessary to progress a veteran's or other claimant's claim as soon as practicable.
- 7.4 Veterans' Affairs will notify the health practitioner in writing that, because the assessment report has not been provided within the timeframe extension agreed, it will not pay for the assessment report and will instead engage another health practitioner to undertake the assessment.

## **8. Arranging another assessment**

- 8.1 If it becomes necessary to arrange another assessment due to the original health practitioner not providing an assessment report:
- Veterans' Affairs will assist the veteran or other claimant in scheduling a new appointment with another health practitioner.
  - Costs associated with the additional assessment will be covered by Veterans' Affairs.

## Glossary

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### **claim**

Means an application for any entitlement under the Veterans' Support Act 2014 including, for example, impairment compensation, income support, funding for treatment, funding for rehabilitation and assistance under the Veterans' Independence Programme.

### **health practitioner** [section 7]

Has the same meaning as in section 5(1) of the Health Practitioners Competence Assurance Act.

*[which reads as follows:*

*Means a person who is, or is deemed to be, registered with an authority as a practitioner of a particular health profession.]*

### **member of the armed forces** [section 7]

Means a person who is or has been a member of the New Zealand armed force raised by the Governor-General on behalf of the Sovereign,—

- (a) whether in New Zealand or elsewhere; and
- (b) whether before or after the passing of this Act.

### **other claimants** [section 7]

other claimants means—

- (a) persons who have served as members of the armed forces before 1 April 1974 and whose injury or illness was caused by, contributed to by, or aggravated by routine service in New Zealand or overseas; and
- (b) spouses or partners of veterans; and
- (c) children of veterans; and
- (d) dependants of veterans; and
- (e) persons (other than the spouse or partner, or a child or dependant, of the veteran) who provide non-professional support to veterans for the purposes of section 107

### **partner** [section 7]

Means a civil union partner or a de facto partner.

[See also section 2D of the Property (Relationships) Act 1976.]

### **qualifying service** [section 8]

Means—

- (a) qualifying operational service; or
- (b) qualifying routine service.

### **qualifying operational service** [section 8]

Means—

- (a) service on any deployment treated as a war or emergency for the purposes of the War Pensions Act 1954; or
- (b) service on any deployment declared to be operational service under section 9.

### **qualifying routine service** [section 8]

Means service in the armed forces before 1 April 1974 that is not qualifying operational service.



**service-related** [section 7]

In relation to an injury, an illness, a condition, or a whole-person impairment, means an injury, an illness, or a whole-person impairment caused by, contributed to by, or aggravated by qualifying service

**treatment provider** [section 7]:

- (a) means a chiropractor, dentist, medical laboratory technologist, nurse, nurse practitioner, occupational therapist, optometrist, osteopath, physiotherapist, podiatrist, or medical practitioner; and
- (b) includes a member of any occupational group as added for the purposes of this definition by regulations made under section 265 and subject to any criteria specified in those regulations, including (but not limited to) whether and, if so, the extent to which members of an occupational group are recognised by the Accident Compensation Corporation as treatment providers for the purposes of the Accident Compensation Act 2001

**veteran** [section 7]

Means—

- (a) a member of the armed forces who took part in qualifying operational service at the direction of the New Zealand Government; or
- (aa) a member of the armed forces who took part in qualifying routine service before 1 April 1974; or
- (b) a person—
  - (i) who has been—
    - (A) appointed as an employee of the Defence Force under section 61A of the Defence Act 1990; or
    - (B) seconded to the Defence Force with the permission of the Chief of Defence Force; and
  - (ii) who took part in qualifying operational service at the direction of the New Zealand Government; or
- (c) a person who, immediately before the commencement of Part 3 of this Act, is eligible for a pension under the following provisions of the War Pensions Act 1954:
  - (i) section 19 (but only if the person was a member of the forces);
  - (ii) section 55 or 56;
  - (iii) Parts 4 and 5.