

Summary

Objective

AC Act 2001, Section 21 deals with cover for mental injury from offences listed in Schedule 3 of the AC Act. These refer mainly to sexual abuse. Section 21 claims are also known as sensitive claims.

Owner

Name withheld

Expert

Name withheld

Policy

1.0 Identifying sensitive (section 21) claims

- a ACC has instructed treatment providers to send all sensitive (Section 21) claims directly to Partnered Recovery. If you identify a sensitive claim, you must send it to the Partnered Recovery queue immediately.

2.0 How to recognise a sensitive claim

- a An ACC45 injury claim form for a sensitive (Section 21) claim has all the following features:

- it has been completed by a:
 - counsellor
 - nurse practitioner
 - general practitioner (GP)
 - doctor registered with Doctors for Sexual Abuse Care (DSAC)
- the treatment provider either:
 - included a READ code for a mental injury in the 'Diagnosis'; box on the ACC45
 - used a term like 'depression' as a diagnosis
- the 'Part B: Injury Details' section in the ACC45 form shows a Schedule 3 offence, including the section number of the offence, or a description of it.

A DSAC-registered doctor may also include a separate report with the ACC45.

 READ code.doc

3.0 Special cases

- a See attached table for guidance.

If...	and...	then...
the 'Injury Details' section of the ACC45 describes a Schedule 3 offence	the READ code indicates a physical injury and no mental injury	you must process the claim in the same way as any other <i>physical injury caused by an accident (PICBA)</i> claim
the claim involves both physical and mental injury	needs case management	you must consult an SCU case manager or team manager and transfer the claim directly to the SCU if they agree it should be managed by the SCU

 Special cases table..PNG

4.0 Forward sensitive (section 21) claims

- a You must refer to AC Act 2001, Section 21 to identify a mental injury claim.

You must only identify a claim as a sensitive claim once you receive all of the required information. You must contact the client if you need further information.

- b All newly lodged sensitive claims should be sent to the Partnered Recovery queue for allocation by the Real-Time Analyst team (RTAs).