

TAC impairment benefits



What is an impairment benefit?

An impairment benefit is a type of compensation. It is a one-off lump sum payment made by the TAC if you have permanent impairment caused by your transport accident injuries. You may be eligible for this benefit if you:

18+ are over the age of 18, and



have a permanent physical or psychological condition caused by your transport accident injuries, and

11% have an impairment assessed at 11% or more.

An impairment benefit does not affect your entitlement to receive other benefits and payments from the TAC. This includes medical services, income support or common law compensation.

The TAC assesses impairment according to the Transport Accident Act 1986 (the Act). This sets out:



who is eligible for impairment benefits



how and when the TAC must conduct assessments, and



when and how much the TAC can pay.

Impairment benefits for minors

The TAC can assess children under the age of 18 for impairment when it has been 18 months since the transport accident.

If the minor is assessed with an impairment of 11% or more, we can pay a weekly benefit to the parent or guardian. We can pay this from 18 months after the transport accident, until the child turns 18 years old.

This is a 'Minors Additional Benefit'. The benefit can be reassessed during this period if the child's condition changes or improves.

Understanding the term 'impairment'

Impairment is:

- a permanent physical condition, or
- a permanent psychological condition caused by your transport accident injuries.

Injuries which may lead to permanent impairment include:

- brain injury
- fused joint
- spinal cord injury
- restricted shoulder movement
- a psychological condition which is permanent.

Injuries that would not usually lead to permanent impairment include:

- broken bones that heal after treatment
- whiplash or muscle strain that gets better
- pain and suffering caused by an injury.

How impairment is measured

The TAC may ask you to attend an independent medical examination. This is to assess your injuries for function and range of motion, which is measured against the normal range of most people.

Each injury will receive a percentage rating based on your level of impairment. The medical examiner will report this rating to the TAC.



A step-by-step guide to impairment

Before the TAC can make a decision about your impairment, your injuries must be considered stable according to your health providers, and unlikely to change over time.

The assessment process could take up to 18 months. This is because:

- you may need to attend more than one examination
- there may be waiting times to see a medical examiner for a specific injury
- it may take some time for the TAC to receive all relevant medical information needed to make a decision, or
- your injuries are not stable and are expected to change over time.



Step 1 - Starting the impairment process

If you are likely to be eligible for an impairment benefit, the TAC will contact you to start the process.

You or your solicitor can also start the process by contacting the TAC. The steps for the impairment process may differ if you have a solicitor. For more information, please visit tac.vic.gov.au/protocols



Step 2 - Getting information

You will be assigned a TAC impairment benefit coordinator who will manage the process. They will gather information about your injuries, treatment and progress from doctors or hospitals that have treated you.

If you have a solicitor acting on your behalf, they will gather the information and submit it to the TAC.



Step 3 – Attending medical examinations

Your medical examination will be conducted by a doctor who is qualified to conduct impairment assessments. We may ask you to attend multiple appointments as each doctor specialises in a different field.

The examination can take more than an hour. At the examination, the doctor may ask you questions about:

- your medical history
- your transport accident
- the injuries you sustained
- your current condition, and
- your health before the accident.

If necessary, the doctor may undertake a physical examination. Most examinations are clinical assessments of your injuries. This means the doctor may not ask you certain questions about your injuries.



Step 4 – How we assess your impairment

The TAC uses reports from the medical examiners to calculate your impairment rating. We combine the impairment percentages from each injury to arrive at a total score. We use a prescribed mathematical formula to do this.

Your impairment benefit coordinator will contact you to explain the result. If you have a solicitor, we will also contact them with the result.



Step 5 – Making the payment

If your total impairment is assessed at 11% or more, your impairment benefit coordinator will confirm how much we can pay. This payment will be made to you via Electronic Funds Transfer (EFT) into your nominated bank account.

If you have a solicitor, the TAC may make the payment to them. Your solicitor will then organise the payment to be made to you.

Working together

What we will do

- Your TAC impairment benefit coordinator will:
- provide information to help you understand the impairment process
- keep you, or your solicitor up to date about the progress of your impairment claim
- provide information about the medical examination process and arrange your examinations (with your solicitor if you have one)
- assess the medical reports received from specialist impairment doctors, and
- issue the payment of your lump sum benefit if your impairment is assessed at 11% or more.

What you need to do

To help the process run smoothly, we expect you to:

- complete and return any required forms
- provide any information requested as soon as possible
- attend medical examinations arranged for you and contact the TAC if you are unable to attend
- keep us updated if your contact or bank details change
- contact your impairment benefit coordinator or your solicitor, if you have any questions about your impairment claim and/or the process.



Contact

 1300 654 329  tac.vic.gov.au/impairment

For information in a different language call 1300 139 075 or visit tac.vic.gov.au/languages.

