

# Lifetime Care and Support Guidelines: Summary of Changes

The Lifetime Care and Support Guidelines are statutory guidelines issued under the *Motor Accidents (Lifetime Care and Support) Act 2006* (the Act). The Guidelines provide information about eligibility for the Lifetime Care and Support Scheme (the Scheme), dispute resolution, treatment and care needs that are funded by the Scheme, and the criteria used to make decisions about participants' treatment and care needs.

The Guidelines are reviewed regularly by the Lifetime Care and Support Authority ('Lifetime Care') to resolve inconsistencies or ambiguity which has arisen following their practical application.

The Guidelines have been updated to:

- Simplify language, clarify understanding and amend any terms that are now outdated.
- Use an active voice where possible e.g. Lifetime Care considers
- Reflect current processes and timeframes
- Clarify the commencement provision for each Part, with the intended meaning remaining unchanged.

These updates do not change participant entitlements under the Lifetime Care and Support Scheme, nor do they change who is and is not eligible for the Scheme.

This information sheet summarises the key changes to the Lifetime Care and Support Guidelines, gazetted on 27 June 2025. The Lifetime Care and Support Guidelines are available on the icare website: [www.icare.nsw.gov.au](http://www.icare.nsw.gov.au)

## Part 1: Eligibility for participation in the Lifetime Care and Support Scheme

- New clause- creates a process for when a mistake of law or fact leads to an incorrect decision regarding a participant's interim eligibility within the first 12 months allowing Lifetime Care to withdraw the previous determination (7.4).
- Removed reference to a specified age for when a child is assessed for lifetime participation. Addition to specify that the relevant age for lifetime eligibility is listed at s9(5) of the *Motor Accident (Lifetime Care and Support) Act 2006*. Note: No change to the current age specified in the Act (8.3).

## Part 2: Disputes about eligibility (injury criteria)

- New title of this Part to clarify that eligibility disputes about the injury criteria are managed under this Guideline.
- Removal of "Surveillance images" which are not relevant to Lifetime Care disputes.

- Wording change relating to the reason that Lifetime Care may extend 6-month time limit to submit dispute application. This has changed from “there is a full and satisfactory explanation” to “there are exceptional circumstances” (6.4 and 19.8).
- New clause - Legal costs payable for disputes (27).

### **Part 3: Disputes about eligibility (motor accident) - NEW**

- New Part to outline the process for managing eligibility disputes about the motor accident.

Note: The Personal Injury Commission was established by the Personal Injury Commission Act 2020. The Personal Injury Commission resolves disputes for the Lifetime Care and Support Authority in relation to the motor accident injury.

### **Part 4: Disputes about participants' treatment and care needs**

- New title of this Part.
- Clarified that disputes about an assessment of treatment and care needs must be made within 28 calendar days from the receipt of Lifetime Care's certificate of assessment (8.4).
- Addition to include that when information is requested by Lifetime Care from the participant's treating health practitioner or service providers, the reply must include all the relevant information, be listed in writing and be sent to Lifetime Care within 20 working days of receipt of the request (10.2).
- Removed clauses under previous heading “Alternative dispute resolution: contact with the participant” as this is contained in 10.4.
- Addition to information at “Alternative to review” (20) to include the process.

### **Part 5: Assessment of treatment and care needs**

- General updates.

### **Part 6: Determination of reasonable and necessary treatment and care needs**

- General updates.
- Removed reference to the *Guidelines for the prescription of a seated wheelchair or mobility scooter for people with a traumatic brain injury or spinal cord injury* and *Supplement 1: Wheelchair features- Standing wheelchair* as these are outdated.

### **Part 7: Rehabilitation**

- General updates.

### **Part 8: Attendant care services**

- New clause- attendant care services are not able to facilitate unlawful and/or illegal activity (1.2g).
- Removed the word “generally” in relation to what Lifetime Care considers is not a reasonable expense in clauses (2.4), (4.5) and (9.9) to improve understanding.

- Combined clauses in relation to Home Maintenance and Domestic Services under section 4.
- Addition to include day programs as an alternative to attendant care service provision (7.1).
- New clause- when a participant is away from home, attendant care service provision will be sourced locally where possible (9.2).
- Update to the reasonable notice period that needs to be provided to Lifetime Care if a participant requires additional attendant care service provision when away from home to three months for domestic travel and six months for international travel (9.7).
- New clause- Lifetime Care may consider if a participant has obtained medical clearance to travel when determining if additional expenses for attendant care service provision are reasonable (9.8).
- Clarified when Lifetime Care will consider funding the cost difference of a participant's plane travel from economy class to premium economy class or business class (9.10).

## **Part 9: Education support services**

- Removed the word "generally" in relation to what Lifetime Care considers is not a reasonable expense in clause (1.7) to improve understanding.
- Addition to include TAFE NSW (2.2g).

## **Part 10: Respite care services**

- Removed the word "generally" in relation to what Lifetime Care considers is not a reasonable expense. in clause (1.3) to improve understanding.
- Removed references to holidays in this Part as Lifetime Care does not consider holidays as respite.

## **Part 11: Participants living overseas**

- Clarified that Lifetime Care considers a medical or allied health professional travelling from another country to the participant's country of residence to assess or treat the participant is not a reasonable expense (2.6e).

## **Part 12: Transport modification (modifications to a motor vehicle)**

- Addition to include electronic hand controls (1.2).
- Removed the word "generally" in relation to what Lifetime Care considers is not a reasonable expense in clause (1.4), (1.6), (4.3) and (7.5) to improve understanding.

## **Part 13: Aids and appliances (equipment)**

- Removed the word "generally" in relation to what Lifetime Care considers is not a reasonable expense in clause (1.2), (6.4), (6.6) and (7.2) to improve understanding.
- Removed reference to the *Guidelines for the prescription of a seated wheelchair or mobility scooter for people with a traumatic brain injury or spinal cord injury* as this is outdated.

- Clarified when Lifetime Care will consider funding equipment that is considered a general household or personal item (6.1- 6.6). Lifetime Care may fund an equivalent general household or personal item if the item owned by the participant is not able to be modified or adapted and the need for the item is directly related to the motor accident injury and meets the criteria at 1.1 (6.1 and 6.3).
- Update to the terminology used for laptops, tablets, smartphones, smart watches to *mainstream multifunctional devices* to provide one term for all these devices (6.2, 6.5 and 6.6).
- Addition of what is considered professional and elite sports in relation to equipment for recreation and leisure purposes (8.2).

## Part 14: Home modifications

- Clarified that all amounts are exclusive of GST.
- Clarified that the current condition of the property will be considered when making a decision about any home modifications (1.3(c)).
- Removed the word “generally” in relation to what Lifetime Care considers is not a reasonable expense in clause (1.5), (3.2), (7.5), (8.4), (9.4) and (12.3) to improve understanding.
- Addition to include that the heating of a pool is not considered a reasonable expense (1.5(c)).
- Updated terminology from “interim” accommodation to “transitional” accommodation.
- New clause - provides a process for how funding for future home modifications will be managed when the home is being sold and the value of the property has increased due to the modifications funded by the Scheme (3.3).
- New amount of \$21,000 (exclusive of GST), multiplied by the number of years in the term of the lease, that may be considered a reasonable expense for modifications for a rental property (6.2).
- Addition to include a cost of up to \$210,000 for stamp duty to clarify what is generally considered a reasonable expense when Lifetime Care determines the current home is not suitable for modification and the participant may need to relocate (7.2).
- New amount of \$120,000 (exclusive of GST) that is considered a reasonable expense for home modifications when a participant is purchasing a home (existing dwelling) (8.3).
- Addition to include an amount of \$120,000 (exclusive of GST) that is considered a reasonable expense for home modifications to a new home build (off the plan) (9.3).
- Amendment to clarify the contribution towards energy costs for room temperature control equipment is 35% of the energy usage cost incurred on energy bills (10.5).
- Addition to include Lifetime Care will fund insurance of the home modification, being the difference in insurance costs between an unmodified home and a modified home (12.1).

## Part 15: Prostheses

- Reworded the definition of *prosthesis* to clarify that all missing parts of the body can be considered for a prosthesis (1.1).
- Removed reference to Enable NSW as the body that provides accreditation for providers, clinic services and manufacturing services in relation to prosthetic prescriptions and repairs.
- Addition to include the *Guidelines for Prescribers- Assistive Technology* is adopted by Lifetime Care and is available on the icare website [www.icare.nsw.au](http://www.icare.nsw.au) (2.1(c)).

- Addition to clarify that routine maintenance for a prosthesis includes maintenance needed to meet warranty conditions (2.2(b)).

## **Part 16: Vocational rehabilitation and vocational training**

- Updated the definition of vocational rehabilitation to align with the definition of rehabilitation as per the *Motor Accident Injuries Act 2017* and addition to include work trials and work experience (1.1).
- Addition to include that vocational options can be explored for participants who were not working prior to their injury - for example school leavers (1.3(c)).
- Addition to include that a participant's life stage is considered when determining whether vocational rehabilitation is reasonable and necessary, including school to work transition planning (1.4(a)) and whether planning has been undertaken to facilitate the vocational goal (1.4(e)).
- Removed the word "generally" in relation to what Lifetime Care considers is not a reasonable expense in clause (1.6) and (2.6) to improve understanding.
- Addition to include that a participant's life stage is considered when determining whether vocational training is reasonable and necessary (2.4(a)) and whether planning has been undertaken to achieve the goal (2.4(e)).

## **Part 17: Buying into the Lifetime Care and Support Scheme**

- General updates.

## **Part 18: Payments under the Scheme (approved providers and special circumstances)**

- Clarified that the amount listed for a major home, workplace or educational facility modification is exclusive of GST (4.1).

## **Part 19: Alternative expenditure option**

- General updates.

## **Part 20: This part has been left blank**

- Removal of previous Part 20: Ambulance transportation.
- Ambulance transportation is usually provided in emergency circumstances and is distinct from patient transportation and assisted transportation.
- Lifetime Care will continue to pay for all ambulance transportation when it is considered a reasonable and necessary treatment and care need, in accordance with Part 5 of the Guidelines, for the participant as result of their motor accident injury.

**Note:** Ambulance transportation is included as a treatment and care need under s5A of the Motor Accidents (Lifetime Care and Support) Act 2006 (Act).

## **Part 21: Dental treatment**

- Removed the word “generally” in relation to what Lifetime Care considers is not a reasonable expense in clause (1.4) to improve understanding.
- Addition to clarify that published evidence means peer-reviewed evidence (1.4(b)).
- Updated terminology to include removable appliances (3).

## **Part 22: Medical treatment including pharmaceuticals**

- Addition to clarify that published evidence means peer-reviewed evidence (1.3(c)).
- Removed the word “generally” in relation to what Lifetime Care considers is not a reasonable expense in clause (1.4), (3.3) and (5.4) to improve understanding.

## **Part 23: Workplace and education facility modifications**

- Updated terminology from “work options plan” to “vocational assessment”.
- Removed the word “generally” in relation to what Lifetime Care considers is not a reasonable expense in clause (1.3), (3.2) (3.3), (5.3) and (7.3) to improve understanding.

## **Lifetime Care and Support “Companions”**

The Companions were developed in conjunction with the Lifetime Care and Support Guidelines released in 2018 to be available as a resource for participants and families. They do not have the force of delegated legislation. As the Companions were written to align with the 2018 Guidelines, they have been removed from the icare website.

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