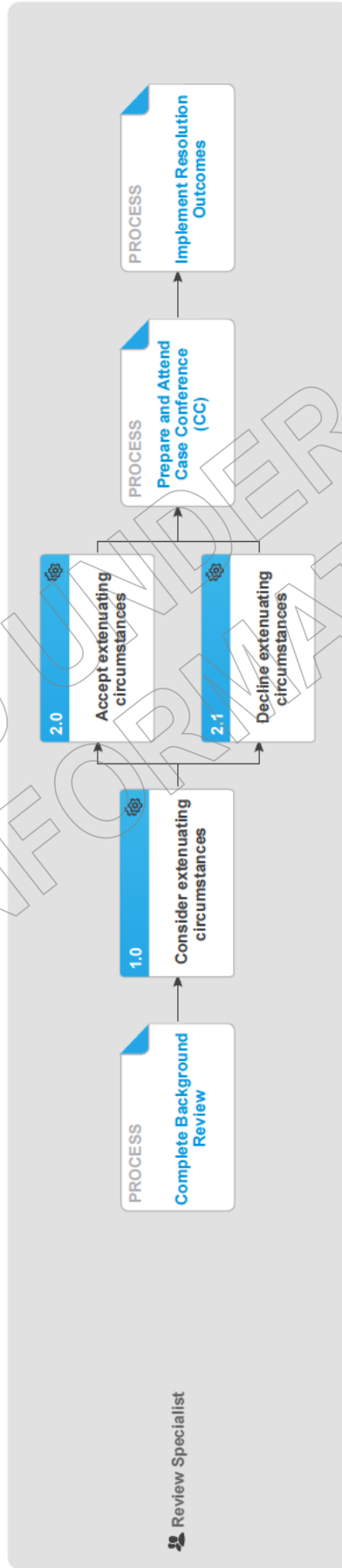




RELEASED UNDER THE OFFICIAL INFORMATION ACT



Summary

Objective

To determine if a review application which was received more than three-months after the decision can be accepted.

Background

The Accident Compensation Act (the Act) 2001, s135(3), states when ACC can accept a late review application.

The Act says that ACC must accept a late review application from a claimant if it is satisfied that there were extenuating circumstances that affected the claimant's ability to meet the time limits. Section 135(3) of the Act and provides guidelines of extenuating circumstances. These are not exhaustive.

- (a) where the claimant was so affected or traumatised by the personal injury giving rise to the review that he or she was unable to consider his or her review rights; or
- (b) where the claimant made reasonable arrangements to have the application made on his or her behalf by an agent of the claimant, and the agent unreasonably failed to ensure that the application was made within the required time; or
- (c) where the Corporation failed to notify the claimant of the obligations of persons making an application.

Procedure

PROCESS Complete Background Review Review Specialist

1.0 Consider extenuating circumstances

Review Specialist

- a Check the date of the decision and see what Act applies to the review case. If the current Act applies proceed to the next task.

NOTE What if the decision relates to a decision/s made under the 1972 or 1982 Act?

Please refer the application to a Senior Review Specialist for a decision on whether to accept or decline the late lodged application.


- b Determine if enough information has been given about the extenuating circumstances to make a decision.

NOTE What if insufficient or no information has been given?


Contact the customer/representative to request missing information.

NOTE What if the customer/representative cannot be contacted?


Continue attempting to make contact with the customer/representative up until the Case Conference, which needs to be scheduled within the specified timeframes.

 **PROCESS** Prepare and Attend Case Conference (CC)

- c Add a contact in Eos, or Juno_CRM, as appropriate with all attempted contacts and outcome.

 Late Review Applications Policy

- d Consider all of the information provided and/or gathered and determine whether to accept or decline the extenuating circumstances.


 Accept or decline a late review application


2.0 Accept extenuating circumstances

Review Specialist

- a In Eos, generate, complete and send the REV013 Accept late review application decision letter.

Go to Complete Background Review

 REV13 Accept Late Lodge Review Application

 Complete Background Review

<https://go.promapp.com/accnz/Process/180a59cb-a929-4be0-871e-490ac3bb702e?force=False>

NOTE Go to Complete Background Review

 **PROCESS** Complete Background Review

2.1 Decline extenuating circumstances

Review Specialist

a By phone, contact the customer/representative and advise them:

- of the decision to decline their extenuating circumstances and
- that this decision itself can be reviewed.

NOTE What if the customer/representative want to review the decision not to accept their late review application?

Advise the customer/representative that they can have the decision to decline the late review application reviewed and explain how this works with the review for the substantive decision.

b Generate and send the REV012 Decline late review application letter. If appropriate, in Juno_CRM create an interaction and save the letter to the interaction.


 REV12 Decline Late Lodge Review Application

c Consider the substantive review issue and determine whether the decision was incorrect. If the decision was incorrect go to Fulfil Resolution Obligations.

NOTE What happens to the substantive (original review application) matter?

The substantive matter will have been transferred to the reviewer for a hearing date to be set and remains active. It will be put aside until the new extenuating circumstances review request is resolved.

NOTE Fulfil Resolution Obligations

 **PROCESS** Implement Resolution Outcomes

d Go to Prepare and attend Case Conference.

NOTE Prepare for and Attend Case Conference (CC)

 **PROCESS** Prepare and Attend Case Conference (CC)

 **PROCESS** **Prepare and Attend Case Conference (CC)**
Review Specialist

 **PROCESS** **Implement Resolution Outcomes**
Review Specialist

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