

What to expect from a medical review panel

This fact sheet will help you understand the role and function of the Personal Injury Commission's medical review panel for motor accidents matters and what you can expect if one of these is convened as part of the resolution of your dispute.

The Personal Injury Commission resolves disputes related to personal injury claims for workers compensation and motor accidents in NSW.

Medical disputes before the Commission are assessed by a medical assessor, an independent medical specialist who will assess the injury and related information before making a decision about the dispute.

In cases where the injured person or insurer believes the assessment by the medical assessor was incorrect in a material respect in relation to a motor accidents matter, they may seek a medical review.

How can I apply for a medical review?

If you think there is an error with the decision by the medical assessor, you can request a review of the original medical assessor's decision via the Commission's portal. Your insurer can also request a review.

A delegate of the President of the Commission will consider the application and any reply and decide if there is reasonable cause to suspect that the original assessment was incorrect in a material respect.

If the review application is allowed to proceed, a medical review panel will be appointed to make a fresh assessment.

Who are the panel members?

The medical review panel will include two experienced medical practitioners with expertise relevant to the dispute, as well as one legal member with expertise in review matters.

These professionals are selected for their impartiality and expertise and would not have been involved in the original assessment.

What is the medical review panel's role?

The medical review panel provides an independent, unbiased assessment by qualified medical or allied health professionals supported by a suitably qualified legal practitioner who is a member of the Commission.

They will review the original medical assessment and opinion on an injured person's medical condition, treatment, and impairment relating to the motor accident injury dispute.

They will also assess all medical reports related to the dispute that the parties submit as part of the application for review and, if necessary, may also physically examine you.

After a thorough evaluation, the medical review panel will provide a comprehensive decision relating to the issues in dispute on review, including permanent impairment, threshold injury and treatment and care, as relevant to the matters raised for the panel to determine.

The decision of the panel will replace the original medical assessment.

The medical review panel's decision helps in resolving disputes regarding medical issues in personal injury claims. It serves as an essential piece of evidence during proceedings and can aid in achieving a fair and just resolution of your claim.

What is the purpose of the medical review panel?

The outcome of a medical review panel serves as important evidence during the dispute resolution process. The decision can lead to settlements, negotiations, or further legal proceedings if necessary.

The Commission's medical review panel processes are designed to ensure that injured people receive fair and just outcomes in their personal injury claims, especially when medical issues are in dispute.

Will the decision be published?

The Commission is required under the Personal Injury Commission Act 2020 to publish certain decisions online to ensure openness and transparency about its processes and that decisions are of consistently high quality.

Decisions by panels are publishable, however parties can make an application seeking that material be redacted or de-identified prior to publishing. More information on our decision publication policy is available on our website.

Can I seek further review?

If you believe the Commission's decision was incorrect, you can seek judicial review via the Supreme Court of NSW.

Where can I find more information?

For more information on the Personal Injury Commission's work in resolving personal injury disputes, including a range of fact sheets, visit our website at www.pi.nsw.gov.au



Contact us

Personal Injury Commission
Level 21, 1 Oxford Street
Darlinghurst NSW 2010
Phone: 1800 742 679
Email: help@pi.nsw.gov.au

Medical Suites
Level 8, 1 Oxford Street
Darlinghurst NSW 2010

www.pi.nsw.gov.au



Personal Injury
Commission