Return to Work (Permanent Impairment Assessment Costs) Amendment Regulations 2025

The *Return to Work (Permanent Impairment Assessment Costs) Amendment Regulations 2025* (**the new regulations**) are now in effect. The new regulations provide clarity on the party responsible for paying certain costs associated with an injured worker's permanent impairment assessment.

Summary of new regulations

The new regulations, which relate to costs associated with permanent impairment assessments, have been inserted into the *Return to Work Regulations 2015*.

The new regulations require that, where an injured worker undergoes a permanent impairment assessment, the relevant compensating authority (ReturnToWorkSA and self-insured employers) must pay for:

- the reasonable costs of diagnostic tests or medical investigations required or recommended by the Impairment Assessment Guidelines for the purposes of a permanent impairment assessment; and
- any necessary costs reasonably incurred by the worker for required accommodation and travel related to attending those tests or medical investigations.

These provisions apply even when the worker's medical expenses entitlement period has ended.

Costs relating to permanent impairment assessments

In order for the relevant compensating authority to pay the reasonable costs of the diagnostic test or medical investigation, the test or investigation must be:

- for the purposes of an injured worker's permanent impairment assessment undertaken pursuant to section 22 of the Act; and
- required or recommended by the Impairment Assessment Guidelines.

The status of the injured worker's medical expenses entitlement does not impact the obligation on the relevant compensating authority to pay for the reasonable costs of the diagnostic test or medical investigation.

Travel and accommodation expenses

The payment of the necessary costs reasonably incurred by the worker for travel and accommodation associated with the worker attending the diagnostic test or medical investigation is subject to prescribed maximum amounts. These amounts align with the existing caps under the *Return to Work Regulations 2015*.

The maximum amount payable for the cost of the accommodation (including meals) of a worker away from home is:

- if the amount relates to accommodation outside South Australia, $301 per day (indexed); and
- in any other case - $215 per day (indexed).