



National Injury Insurance
Scheme, Queensland



Treatment, care and support guideline 12

Participants travelling overseas guideline



Contents

Definitions	3
Participants must notify the NISQ Agency of their intention to depart Australia	4
What happens when a participant is suspended	4
Temporary absences	5
What the NISQ Agency will fund for temporary absences	5
What the NISQ Agency will not fund for temporary absences	6
Suspension for absences longer than three months	6
When the NISQ Agency may suspend participation because their absence is likely to adversely affect them	6
How the NISQ Agency decides whether an absence will or is likely to have ‘adverse affect’	7



Definitions

Defined terms are shown throughout in bold underlined text when they first appear.

CTP claim	means a claim for damages defined under section 4 of the <i>Motor Accident Insurance Act 1994</i> , but excludes a claim where liability has been denied by an insurer or where it has been decided by a court that the insurer is liable for a participant's accepted injury.
Eligibility review	means the review conducted by the NISQ Agency of an interim participant's participation in the NISQ.
Information notice	means a notice containing: <ul style="list-style-type: none"> • the decision made by the NISQ Agency • the reasons for the decision made by the NISQ Agency • the day the decision has effect, and how a person can apply for review of the decision.
Information request	means a request seeking additional information to enable the NISQ Agency to respond to a service request.
Interim participant	means a participant who has been accepted into the NISQ for the participation period of two years.
MyPlan	means a support plan prepared by the NISQ Agency and approved under the <i>National Injury Insurance Scheme Act (Queensland) Act 2016</i> .
Participation period	is the period of two years.
Payment request	means a request made under section 35 of the <i>National Injury Insurance Scheme (Queensland) Act 2016</i> for payment for treatment, care and support.
Registered service provider	means a provider of treatment, care and support that is required to be registered under the <i>National Injury Insurance Scheme (Queensland) Act 2016</i> and includes: <ul style="list-style-type: none"> • providers of attendant care and support • home modifications providers • services for the coordination of treatment, care and support.
Service request	means a request made under section 28 of the <i>National Injury Insurance Scheme (Queensland) Act 2016</i> for particular treatment, care and support.
Temporary absence	means an absence of three months or less.



Participants must notify the NISQ Agency of their intention to depart Australia

Participants may travel overseas temporarily or permanently. For example, a participant may go on a holiday to a different country, or to return to live in their home country.

There is a plain language version of this guideline which is shorter and uses simpler words. To access it, view [MyGuide 12 – Overseas travel](#).

If a participant intends to travel overseas for any period of time, they must notify the NISQ Agency of their intention to travel overseas to ensure that a participant is supported to the extent possible during the absence, as well as to assist the NISQ Agency to amend or reschedule appointments related to the participant's absence from Australia. The NISQ Agency will require the following information:

- a) the day the participant intends to leave Australia
- b) if the participant intends to return to live in Australia, the day the participant intends to return
- c) the participant's address while outside Australia
- d) any treatment, care and support that the participant wants the NISQ Agency to fund that is intended to be provided outside Australia (including details of medical and allied health support providers).

This information must be provided to the NISQ Agency at least one month before the participant's departure from Australia. The participant may provide notification of their intention to travel either in writing, via email or during a telephone discussion with the NISQ Agency.

If a participant or other person makes a service request for treatment, care and support to be provided during the participant's absence from Australia, the NISQ Agency will treat the service request as a notification to travel overseas and will require the participant to provide the NISQ Agency with all the required information (see a) to d) above).

If the participant does not provide the NISQ Agency with the required information, the NISQ Agency may suspend their participation in the NISQ.

What happens when a participant is suspended

When a person is suspended from participation, they are no longer a 'participant' for the purposes of the *National Injury Insurance Scheme (Queensland) Act 2016*. This means they will not have:

- their needs for treatment, care and support assessed by the NISQ Agency
- a [MyPlan](#)
- the ability to make a [service request](#) for treatment, care and support
- any entitlements to payments or reimbursements for treatment, care and support under a [payment request](#).

If a person is suspended from participation while they are an [interim participant](#), and the NISQ Agency is unable to conduct an [eligibility review](#) of their participation, then their participation in the NISQ may end after the [participation period](#).

Similarly, if a participant has a claim and they are suspended, their rights to preserve, and receive treatment, care and support damages paid by the NISQ Agency, may be affected. If a participant has a claim and is legally represented, they should seek advice from their solicitor about the potential impact of suspension on their rights and entitlements.



Temporary absences

Participants will generally be supported by the NIISSQ Agency for **temporary absences** from Australia. This could include travel for recreational, family or personal purposes. Temporary absences are for periods of less than three months. The scope of this support is described under [What the NIISSQ Agency will fund for temporary absences](#) and [What the NIISSQ Agency will not fund for temporary absences](#).

After receiving notification of a participant's intention to travel overseas, the NIISSQ Agency will amend the participant's MyPlan to remove or reschedule treatment, care and support intended to be provided in Australia during the absence, and include any necessary and reasonable treatment, care and support which the participant will require during their absence from Australia.

The NIISSQ Agency can also seek clarification of any service requests which were approved before the NIISSQ Agency received notification of a participant's intention to travel overseas, unless a service request was made by a participant specifically for the period of absence from Australia.

If the NIISSQ Agency amends the participant's MyPlan, it will provide the participant with an amended MyPlan setting out the approved funding for treatment, care and support. If the NIISSQ Agency requires additional information in relation to a service request, it will provide the participant with an **information request**. If the NIISSQ Agency's decision is not to fund the service request or to suspend participation in the NIISSQ, it will provide the participant with an **information notice** containing reasons for the decision and their rights for review.

The NIISSQ Agency will work collaboratively with participants who are intending to depart Australia temporarily to develop their MyPlan.

What the NIISSQ Agency will fund for temporary absences

To the extent possible, the NIISSQ Agency will decide supports to be provided outside Australia, as though the supports are to be provided within Australia. The NIISSQ Agency has published information about how it assesses necessary and reasonable treatment, care and support needs (see: [Necessary and reasonable guideline](#)).

For temporary absences, this may include:

- attendant care
- rehabilitation services required to maintain or improve functioning.

Treatment, care and support services approved for temporary absences will be in Australian dollars and will not exceed the costs that would be incurred if the participant were living in Australia.

In addition, the NIISSQ Agency may decide that brokerage services are required to assist with the administration of the treatment, care and support for the participant while they are overseas.

While the NIISSQ Agency requires certain service providers to be **registered service providers**, the NIISSQ Agency may fund service providers that are not registered having regard to the appropriateness of the provider, as well as any other matter which the NIISSQ Agency considers relevant.

Funding for temporary absences may also be subject to conditions or requirements described in the participant's MyPlan.



What the NIISQ Agency will not fund for temporary absences

The NIISQ Agency will generally not fund:

- an expense incurred for treatment, care and support that exceeds the cost of a comparable service that can be provided in Queensland or Australia
- treatment, care and support for home modifications or vehicle modifications for temporary absences
- travel expenses which are not directly attributable to the participant's support needs relating to their accepted injury (for example, visa costs, immunisation expenses, flight costs)
- family members or friends to provide support
- treatment, care and support that is not necessary and reasonable.

Suspension for absences longer than three months

If a participant wants to receive support under the NIISQ for an absence longer than three months (which includes participants who have decided to return to their home country to live), they must notify the NIISQ Agency of their intention at least one month prior to their intended departure.

These requests will be considered on a case-by-case basis, and there may be circumstances where the NIISQ Agency decides to suspend a person's participation.

If a participant has a **CTP claim**, the NIISQ Agency will not suspend their participation in the NIISQ if they are absent for longer than three months, unless their absence is likely to adversely affect them.

When the NIISQ Agency may suspend participation because their absence is likely to adversely affect them

The NIISQ Agency will suspend a person's participation in the NIISQ if their absence will, or is likely to adversely affect their:

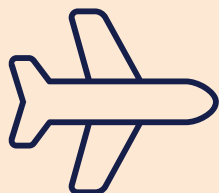
- condition (physical and mental health, or wellbeing) as a result of their accepted injury, or
- prospects of improvement in relation to their accepted injury, or
- prospects of rehabilitation from their accepted injury.



How the NISQ Agency decides whether an absence will or is likely to have ‘adverse affect’

The NISQ Agency generally considers that a participant is likely to be adversely affected by their absence from Australia where:

- the participant has travelled, or intends to travel, to a country that the NISQ Agency considers dangerous or high risk
- the participant has travelled, or intends to travel to receive treatment, care or support which is not supported by the NISQ Agency (for example, but not limited to, experimental or non-evidence-based treatment)
- where the travel interferes with a treatment plan or program prescribed by a treating health professional
- where the travel is not supported by the participant’s treating health professionals.




Example 1: *A participant wishes to travel to a country which has an in-effect ‘Do not travel’ advice issued by the Department of Foreign Affairs and Trade, due to ‘instability and conflict’. The NISQ Agency decides that there is a real risk that the participant’s condition, prospects of improvement and prospects of rehabilitation will be adversely affected during the period of their absence.*

Example 2: *A participant wishes to travel to a different country for the purpose of receiving experimental stem cell therapy, which is not supported by the NISQ Agency due to an absence of research outcomes demonstrating efficacy, and patient safety. The NISQ Agency decides that the purpose of the travel is to access treatment which is not supported by the NISQ Agency and that the participant’s condition is likely to be adversely affected by their absence.*

The NISQ Agency may require evidence from a medical professional which it has nominated to provide assurance that the participant’s absence is not likely to adversely affect the participant. If this evidence is not received, the NISQ Agency may not be able to satisfy itself that the travel is appropriate and may suspend the participant’s participation in the NISQ.

Contact us

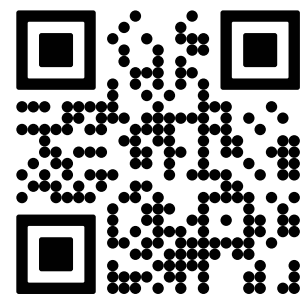
 **Telephone** 1300 607 566 and we will call you back.

If you prefer to talk to us in your own language, call us and we will arrange an interpreter to effectively communicate with you.

If you are d/Deaf, hard of hearing, or have a speech communication difficulty, contact us through the National Relay Service. Choose your access option ([information here](#)) and provide 1300 607 566 when asked by the relay officer.

 **Email** enquiries@niis.qld.gov.au

Visit niis.qld.gov.au
or scan the QR code



If you're in an emergency, please call 000.

We're not a first response medical provider.

The information provided in the *Treatment, care and support guidelines* is intended to provide general guidance. The guidelines are not legal advice. Please refer to the *National Injury Insurance Scheme (Queensland) Act 2016* and *National Injury Insurance Scheme (Queensland) Regulation 2016* for more details about the National Injury Insurance Scheme, Queensland. It is intended that the guidelines will be modified and updated over time as the NIISQ develops.