



New South Wales

Workers Compensation Amendment (Information Disclosure) Regulation 2006

under the

Workplace Injury Management and Workers Compensation Act
1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Workplace Injury Management and Workers Compensation Act 1998*.

JOHN DELLA BOSCA, M.L.C.,
Minister for Commerce

Explanatory note

The object of this Regulation is to permit the WorkCover Authority to provide workers compensation related information to the Health Care Complaints Commission or a health practitioner registration authority if the information concerns a health practitioner or any person to whom a health service has been provided by a health practitioner and the disclosure is for the purposes of or in connection with a complaint by the WorkCover Authority about the health practitioner.

This Regulation is made under the *Workplace Injury Management and Workers Compensation Act 1998*, including sections 243 and 248 (the general regulation-making power).

2006 No 535

Clause 1

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**Workers Compensation Amendment (Information
Disclosure) Regulation 2006**

under the

Workplace Injury Management and Workers Compensation Act 1998

1 Name of Regulation

This Regulation is the *Workers Compensation Amendment (Information Disclosure) Regulation 2006*.

2 Amendment of Workers Compensation Regulation 2003

The *Workers Compensation Regulation 2003* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 195A

Insert before clause 196:

**195A Disclosure of information for complaint about health practitioners
(s 243 (2) (d) of the 1998 Act)**

- (1) The Authority may disclose any information obtained in connection with the administration or execution of the workers compensation legislation concerning a health practitioner or any person to whom a health service has been provided by a health practitioner if the disclosure is made to the Commission or to the registration authority under a relevant health registration Act.
- (2) Disclosure under this clause is allowed only for the purpose of:
 - (a) the making of a complaint by the Authority about the health practitioner under the relevant health registration Act or the *Health Care Complaints Act 1993*, or
 - (b) assisting with any subsequent investigation, hearing or other action under the relevant health registration Act or the *Health Care Complaints Act 1993* in connection with the complaint.

- (3) In this clause:

Authority includes the Nominal Insurer.

Commission, health practitioner, health registration Act, health service and *registration authority* have the same meanings as in the *Health Care Complaints Act 1993*.

relevant health registration Act means the health registration Act under which the health practitioner concerned is or was registered.

the workers compensation legislation means the 1998 Act, the 1987 Act and the former 1926 Act.