



Recovering from  
your motor vehicle  
accident injuries

**CTP** INSURANCE  
REGULATOR

## Will CTP Insurance pay for my medical treatments from my car accident?

You may be eligible for funding of your injury recovery treatments and medical expenses under the CTP scheme if:

- you did not cause the motor vehicle accident
- the vehicle that caused the accident (at-fault vehicle) was registered in South Australia.

To claim your injury treatments, you need to:

- report the accident to the Police, and get a police report number
- lodge an Injury Claim Form with the CTP Insurer of the vehicle that caused the accident (at-fault vehicle).

This brochure contains information about CTP Insurance, the claim lodgement process for injury treatment and support, and how to actively participate in your recovery. If you need more information about the CTP Scheme or how to lodge an Injury Claim Form:

- call the Regulator's Enquiries Line on 1300 303 558
- email **[ctp@sa.gov.au](mailto:ctp@sa.gov.au)**
- visit the CTP Regulator's website at **[www.ctp.sa.gov.au](http://www.ctp.sa.gov.au)**

## Information about CTP Insurance

### **The South Australian Compulsory Third Party (CTP) Scheme**

The CTP Scheme is designed to protect motor vehicle owners through their CTP Policy of Insurance and provide support to people injured in motor vehicle accidents in South Australia and eligible to make a CTP claim.

CTP Insurance is compulsory and paid with your motor vehicle registration in the one transaction.

The CTP Scheme is privately underwritten by CTP Insurers approved by the Government. These Insurers can be found at the CTP Regulator's website.

The CTP Regulator is responsible for the oversight of CTP Insurers.

### **What is CTP Insurance?**

- CTP Insurance is a motor accident injury insurance
- This insurance provides compensation for death or injuries that result from the use of a motor vehicle where the owner or driver of a South Australian registered vehicle is at fault
- It protects you from liability for medical, treatment and other costs such as compensation for people injured in accidents if you cause injury or death to other road users
- It can fund your treatments and medical expenses if you are injured in a motor vehicle accident where you were partially at fault (eligibility criteria applies). You may also be able to claim for other types of compensation
- Compensation may be reduced if you were partially at fault or contributed to your own injury
- The CTP Policy of Insurance sets out the terms of CTP Insurance. The Policy is published on the CTP Regulator's website.

### **The CTP Scheme does not:**

- fully compensate you if you contributed to your injuries: for example, by not wearing a seatbelt
- compensate you if you were the injured driver who was entirely at fault
- cover damage to vehicles or personal possessions
- compensate you if you were injured where the at-fault motor vehicle was registered and insured by a CTP Insurer in another state or territory. You may be able to make a claim in the state where the at-fault motor vehicle was registered. The CTP Regulator can provide contact details for the interstate CTP Insurers.

### **Additional coverage for at-fault injured children**

The CTP Scheme provides additional coverage for the reasonable and necessary treatment, care and support for children under the age of 16 injured in a motor vehicle accident in South Australia on or after 1 July 2013, where the child was at fault.

### **If you sustained lifelong serious injuries**

If you were very seriously injured and sustained lifelong injuries such as a spinal cord injury, traumatic brain injury, limb amputation, significant burns or blindness, you may be eligible for lifelong treatment, care and support provided by the Lifetime Support Scheme (LSS). This Scheme covers at-fault drivers as well as those either partially or not at fault.

Visit [www.lifetimesupport.sa.gov.au](http://www.lifetimesupport.sa.gov.au)  
or call 1300 800 849 to find out more.

## Information about the CTP Claim Process

### Who can make a claim?

You can make a claim (subject to eligibility criteria), if you and/or your child were injured:

- in an accident (including if you and/or your child were pedestrians or cyclists), where a South Australian registered motor vehicle was completely or partially at fault
- as a passenger in an accident that only involved the motor vehicle you were travelling in (or motorcycle), if the driver/rider was at fault.

### How to lodge a claim

1. Report the accident to the Police. A Police report number is required for the Injury Claim Form. Visit **[www.police.sa.gov.au/your-safety/road-safety/report-a-crash](http://www.police.sa.gov.au/your-safety/road-safety/report-a-crash)** for more information.
2. Find out the CTP Insurer of the vehicle at fault. You can do this by visiting EzyReg: **[www.ecom.transport.sa.gov.au/et/checkRegistrationExpiryDate.do](http://www.ecom.transport.sa.gov.au/et/checkRegistrationExpiryDate.do)** select the 'check registration expiry date' option and enter the registration number of the vehicle at fault. Alternatively, call the CTP Regulator Enquiries Line on **1300 303 558** for assistance.
3. Find the Injury Claim Form on the CTP Regulator website or you can contact the CTP Regulator if you would like one posted to you.
4. Lodge your Injury Claim Form with the CTP Insurer of the vehicle at fault for the accident. Include a medical certificate from your doctor showing your injuries arising from the accident and diagnoses.

## Tips

- The Injury Claim Form must be lodged within six months of the motor vehicle accident.
- If you have not complied with these timeframes, contact the CTP Insurer to discuss your circumstances.
- Providing the CTP Insurer with detailed, accurate information about the accident and your injury promptly will assist in the quick and efficient processing of your claim.

## What if a vehicle involved in the accident was unknown or uninsured?

If the at-fault motor vehicle involved in the accident was unknown or unregistered (and therefore uninsured), or you were injured in an accident with a driver who did not stop, a claim can be made as a Nominal Defendant Claim.

Send your completed Injury Claim Form to the CTP Regulator by email or post as soon as practicable. The CTP Regulator will then allocate your claim to a CTP Insurer.



## What is CTP insurance?

### What happens after you lodge an Injury Claim Form?

Once the CTP Insurer receives your Injury Claim Form, it will:

1. Issue a claim number and appoint a claims consultant who will contact you about your claim.
2. Make a determination regarding liability (who is at fault in the accident and to what degree). The CTP Insurer may ask you for more information or appoint an investigator to contact you. The CTP Insurer may also contact other people involved in the accident and gather information including accident reports, police reports and other relevant information in order to make a decision about liability.
3. Collect medical information and encourage you to receive early, reasonable and necessary treatment for the injuries caused by the accident.

#### Information for parents and appointed guardians

Where the injured person is a child (under 18 years of age), an adult with an intellectual disability, or a person unable to deal with the legal and other requirements of the claims process, parents or appointed guardians are able to assist on their behalf.

The claims process will remain the same, however the CTP Insurer will communicate with the parent or appointed guardian instead, or if the injured person is legally represented, with their legal representative.

# Information about your Injury Recovery

## Injury Recovery Pathways

Most people recover from their injuries within the first few months of a motor vehicle accident. However, everyone is different and your recovery timeframe will depend on the type and severity of your injuries, your age, health and most importantly, actively engaging in the injury recovery process.

Some people need treatment and support to help them recover to a level of function and quality of life they had prior to their injury. If function cannot be restored, then treatment is aimed at helping the injured person learn skills to be as independent as possible.

## Tips

- It is important to know that the sooner you seek the right treatment and support and return to your usual work and social activities, the better your health outcomes will be.

## What should I expect from the CTP Insurer?

CTP Insurers have obligations to fund your medical treatment and support services for your injuries if you meet eligibility criteria under the CTP Scheme.

CTP Insurers are required to inform you in writing within 7 business days from the receipt of the treatment request whether the request has been approved, partially approved or not approved. The CTP Insurer will provide an explanation if it has been partially approved or not approved.

## What types of medical services, treatment and recovery services will the CTP Insurer pay for?

The CTP Scheme provides compensation for reasonable and necessary medical treatment and services including:

- Physical treatments: hands-on physiotherapy or chiropractic treatment, hydrotherapy and home programs, and exercise physiology services
- Psychological treatments: counselling and cognitive behavioural therapy
- Occupational therapy: worksite visits, ergonomic assessments and home assessments
- Return to work assistance: vocational assessments and retraining assistance
- Ambulance and hospital: public services are paid through bulk payment arrangements with SA Ambulance Service and SA Health from the CTP insurance premium paid by motor vehicle owners.

Not all types of health care, therapy and support services are covered by the CTP Scheme. Contact the CTP Insurer managing your claim to discuss your treatment requirements. Obtaining approval from the CTP Insurer before using medical services and treatment will ensure these services will be paid by the CTP Insurer.

For information about other types of compensation, such as loss of earning capacity and future treatment requirements, home care and personal care services, visit the CTP Regulator's website.

## What is considered “reasonable and necessary” treatment?

CTP Insurers consider many factors in their decision to pay for treatment services including if costs are reasonable for the services provided. Other factors they consider include:

- **Is the treatment for injuries directly related to the motor vehicle accident?**

You will only be able to claim treatment for services that directly relate to the injuries sustained in the accident, including aggravation or exacerbation of pre-existing conditions and pre-existing injuries.

- **Is the treatment or service likely to increase your ability to function at home and at work?**

Any treatment you receive should be focused on improving the likelihood of your return to your pre-injury activities or to maximise your function.

- **Is the treatment or service delivered by an appropriately qualified professional?**

The treatment provider should hold required qualifications and registration.

- **Is the service appropriate for your injuries?**

It is recommended you get a referral from your doctor before you start any treatment or service to make sure you are getting the best treatment to suit your condition. The services should be consistent with proven, evidence-based best practice and any current clinical guidelines and/or frameworks. Further information regarding treatment for common injuries such as whiplash, as well as other evidence-based tools and resources can be found on the CTP Regulator’s website.

### Tips

- You have the right to choose an appropriately qualified and experienced treatment provider whose treatment is reasonable and necessary for your injury. If you need help finding a treatment provider, contact your doctor.

## What should you expect from your Treatment Provider?

The treatment provider should complete an Allied Health Management Plan that is designed to enable you to:

- manage your injury recovery process through understanding what treatment is being proposed and why
- see what progress you are making and how this is being measured by your provider
- have a say in your goals and maintain focus on improving your function, recovery and participation
- ensure your treatment is based on the best available research evidence.

You should receive a copy of the Allied Health Management Plan, and a second copy should be sent by your treatment provider to the CTP Insurer. The Plan will be reviewed by the CTP Insurer and used to determine if they will pay for the proposed treatment. There are separate plans for physical treatment and psychological treatment. Both can be found on the CTP Regulator's website.

## Tips

- Your treatment provider should explain your diagnosis and treatment plan, how progress will be measured, and how long treatment is likely to take.
- All treatment providers should deliver their services to support your injury recovery based on proven science and research.

## What is appropriate for the fee for your treatment?

According to law, CTP Insurers are required to make reasonable and necessary payment for your treatment in accordance with the ReturnToWorkSA's Fee Schedule. To find out more, please visit

**[www.rtwsa.com/service-providers/payment-and-invoicing/fee-schedules](http://www.rtwsa.com/service-providers/payment-and-invoicing/fee-schedules)**



## Your rights and responsibilities

### It is your right to:

- be informed of the claims process, what steps are being taken by the CTP Insurer and why
- ask your CTP Insurer to explain what is happening with your claim
- choose your own treating professionals (e.g. doctor and allied health professional)
- ask your doctor if you are unsure of which treatment provider to choose
- be involved and receive a copy of your Allied Health Management Plan from your treating health provider (e.g. Physiotherapist, Psychologist)
- tell your CTP Insurer if you have difficulty in accessing timely treatment from a provider
- ask questions of your doctor and/or treatment providers if you are unsure of anything
- seek your own legal advice about your claim. Be aware that there are limits to the amount of legal costs the CTP Insurer is required to pay.

### **CTP Insurers are there to fund the treatment for your injury recovery. You can assist with this process by:**

- keeping in contact with the CTP Insurer handling your claim
- informing the CTP Insurer if your circumstances have changed (e.g. your work status and your injury recovery progress)
- taking all reasonable steps to actively participate in your treatment
- staying optimistic and aiming to return to your previous activities, such as work and leisure, as soon as practicable
- keeping valid receipts if you have already paid for the treatment and/or services and providing the receipts to the CTP Insurer. They will consider whether the services were reasonable and necessary.

## Other useful resources

### Injury Recovery and Early Intervention Framework

The CTP Regulator has published an Injury Recovery and Early Intervention Framework (Framework) for the benefit of people injured in motor vehicle accidents, and medical and allied health professionals. The Framework provides information on the roles and expectations of everyone involved in the injury recovery process.

### Whiplash Injury Recovery Booklet – a Self Help Guide

The Whiplash Injury Recovery Booklet provides an explanation of whiplash and advice on how to manage your injury including an exercise program and self-help recommendations.

These resources are available on the Regulator's website. Visit [www.ctp.sa.gov.au/for-injured-people/injury-recovery](http://www.ctp.sa.gov.au/for-injured-people/injury-recovery) for more information.

## **If you wish to make a complaint about your claim**

If you are unhappy with how your claim is being managed, contact your claims consultant at the CTP Insurer to discuss your concerns. If you are still unhappy with the outcome, ask them to refer your concerns to their State Claims Manager who will explain your rights and the CTP Insurer's Internal Dispute Resolution (IDR) process.

If your complaint is still not resolved, you can contact the CTP Regulator. To lodge a complaint with the Regulator, call or email the CTP Regulator or visit the website.

## Important Points

- Discuss your treatment needs with your doctor or specialist.
- Start required treatment as soon as possible after your injury.
- Provide the CTP Insurer with:
  - an Injury Claim Form, medical certificate from your doctor and police report number as soon as possible
  - details of treatment required and any written referrals or reports from your treatment providers.
- Obtain approval from the CTP Insurer before you receive treatment to be confident of payment and to ensure the costs will be covered.
- Take all reasonable steps to actively participate in your treatment.
- Stay optimistic and aim to return to your previous activities, such as work and leisure, as soon as practicable.
- Notify the CTP Insurer of any changes in your circumstances.



## For more information

### CTP Regulator

**Enquiries Line:** Phone: 1300 303 558  
Fax: 1300 617 531

**Postal Address:** GPO Box 1095 Adelaide SA 5001

**Email:** [ctp@sa.gov.au](mailto:ctp@sa.gov.au)

**Website:** [www.ctp.sa.gov.au](http://www.ctp.sa.gov.au)

**Office Hours:** 9:00 am to 5:00pm Monday to Friday

### Lifetime Support Authority

**Phone:** 1300 880 849

**Website:** [www.lifetimesupport.sa.gov.au](http://www.lifetimesupport.sa.gov.au)

### Disclaimer

The contents of this document are for general information only and not intended to constitute professional advice or be used as a legal document. Its aim is to set out, in simple form, a summary of the Compulsory Third Party Insurance Scheme in South Australia and should not be taken as precise legal interpretations of the law. While the CTP Regulator has taken all reasonable care in the production of this brochure, no warranty is made as to the accuracy, currency or completeness of its contents and no liability is accepted for any loss, expense or liability, however arising, as a result of use of or reliance upon the contents at any time.