**Part X: Payment of travel expenses**

This Part is made under sections 11B, 23, 28 and 58 of the *Motor Accidents (Lifetime Care and Support) Act 2006* (the Act).

This Part of the Lifetime Care and Support Guidelines (the Guidelines) takes effect on the date of gazettal in the NSW Government Gazette and, on and from that date, applies to all applicants for participation in the Lifetime Care and Support Scheme (the Scheme), whether for interim or lifetime participation and whether determined or otherwise, and to all participants in the Scheme, whether interim or lifetime and whether accepted into the Scheme before or after the date of gazettal.

To avoid requirements that might be unreasonable in the circumstances on any participant, the Lifetime Care and Support Authority (Lifetime Care) may waive observance of any part or parts of this Guideline.

**Reasonable and necessary travel for or in connection with an assessed treatment and care need**

This part is to be read in conjunction with Parts 7 – 23 of the Lifetime Care and Support Guidelines.

1.1 Lifetime Care will fund reasonable and necessary travel expenses that are:

a) incurred by the participant for or in connection with any of the assessed treatment and

care needs listed in section 5A of the *Motor Accidents (Lifetime Care and Support) Act 2006;*

b) related to the participant’s motor accident injury; and

c) a reasonable and necessary expense in the circumstances.

1.2 For the avoidance of doubt, participants should be aware that they are responsible for everyday travel expenses that are not for or in connection with their assessed treatment and care needs. Lifetime Care will not fund any of a participant’s travel needs that do not meet the criteria in clause 1.1. *For example, travel expenses for social outings or holidays.*

1.3 When assessing whether travel expenses are reasonable and necessary in the circumstances, Lifetime Care will consider whether the participant has explored other options for assistance with travel costs under applicable state or federal legislation such as the:

a) Transport Taxi Subsidy Scheme;

b) public transport concessions *for example, Companion Card, Seniors Card or State Concession Card;*

c)local council and community transport programs where applicable;

d) mobility or transport allowances from other state or federal schemes, such as Centrelink;

e) provisions from the Australian Tax Office for people with a disability to claim tax concessions when buying, leasing or modifying a vehicle.

1.4 If Lifetime Care assesses a travel expense to be reasonable and necessary in the circumstances, Lifetime Care will reimburse the incurred reasonable cost of the following modes of travel:

a) kilometres in the participant’s car (or a family member or attendant care worker’s car) based on the *Motor Accidents Compensation Regulation 2015*;

1. public transport costs;
2. attendant care supported travel, excluding where 2.4 applies; and/or
3. taxi travel.

1.5 The following travel expenses are not considered reasonable and necessary:

1. travel expenses that are incurred as a result of a condition that existed before a motor accident or that is not a result of the participant’s motor accident injuries;
2. travel expenses where the participant chooses to use a mode of travel over and above what Lifetime Care considers reasonable: *for example, Lifetime Care will not pay for a taxi voucher to attend a medical appointment if a participant has been assessed as capable of accessing public transport and they are able to use public transport to attend a medical appointment*;
3. travel expenses where the participant elects to travel a different way to the route that Lifetime Care considers is reasonable and necessary, *for example their preference is to take a longer route instead of the most direct route;*
4. travel expenses for everyday activities that any person would incur: *for example, travel to work, shops or social outings;*
5. travel costs for anyone other than the participant, unless pre-approval is given for the travel costs of an attendant care worker, or unless special circumstances exist as outlined in 2.5 below;
6. travel expenses such as hire car or taxi if Lifetime Care has modified a vehicle for the participant to use as a driver or passenger, under Part 12 of the Lifetime Care and Support Guidelines.

**Taxi travel**

1.6 Lifetime Care will fund taxi travel to attend a treatment or rehabilitation service when:

1. the participant’s injuries are such, or the nature of the transport need is such, that an accessible taxi is the only practical travel option available;
2. all other travel methods have been considered and have been found to be inappropriate;
3. taxi travel is the most cost-effective method to meet the participant’s travel needs compared with other travel options.

**Methods of funding or reimbursement for travel expenses**

1.7 Lifetime Care will fund the following expenses on receipt of an invoice:

a) hire car; and/or

b) kilometres for an attendant care worker to transport the participant in the participant’s or worker’s vehicle.

1.8 Lifetime Care will provide taxi vouchers to participants for requested and pre-approved travel. In special circumstances, Lifetime Care will consider reimbursing the cost of a taxi when there is evidence that this was urgently required and pre-approval could not be obtained, and there is evidence that it related to attendance of a treatment or service that was approved by Lifetime Care.

1.9 Lifetime Care will reimburse the participant for the following travel expenses on receipt of invoices or receipts where applicable:

a) public transport costs;

b) use of the participant’s vehicle based on a per kilometre fee consistent with the *Motor Accidents Compensation Regulation 2015* using the shortest and most direct route (estimated using Whereis or similar online trip calculator);

c) parking, where it can be demonstrated that paid parking was required, *for example free street parking is not available within a reasonable distance of the destination*; and/or

d) tolls.

1.10 The following procedures are to be followed:

a) when claiming reimbursement of kilometres in their own car, or another car, the participant needs to provide number of kilometres being claimed, the purpose of each journey taken and each journey destination.

b) Lifetime Care will only reimburse travel costs on evidence of actual attendance at appointments and may require confirmation of attendance by the service provider delivering the service or the facility (such as a gym).

**2 Participant travel with an attendant care worker**

2.1 An attendant care worker can assist a participant with their travel needs when:

1. attendant care support is required to partake in an activity due to the motor accident injury;
2. there is an assessed need for attendant care services, as documented in a Care Needs Report, Attendant Care Service Request and/or Participant Attendant Care Agreement; and
3. pre-approval has been given for all participant related travel with an attendant care worker, or the circumstance is urgent such that pre-approval could not be obtained.

2.2 Lifetime Care’s assessment of needs for attendant care services may include pre-approval for kilometres for an attendant care worker to transport a participant, either in the attendant care worker’s vehicle or the participant’s vehicle.

2.3 An attendant care worker may assist the participant with their treatment and rehabilitation travel needs by:

1. implementing travel training in the use of public transport as prescribed by the service provider overseeing the travel training;
2. accompanying the participant in the use of public transport;
3. driving the participant to treatment and rehabilitation services in the participant’s car using approved travel kilometres;
4. driving the participant to treatment and rehabilitation services in the attendant care worker’s car using approved travel kilometres.

2.4 There may be activities or transport needs that are not covered within the travel kilometres approved by Lifetime Care, or that are not related to a treatment or care need. *For example, a participant is travelling to a social activity to meet a friend. The participant may require attendant care supervision for activities of daily living, such as travelling to and participating in the activity, which would be funded by Lifetime Care, however the travel costs remain the responsibility of the participant as an everyday living expense.*

In such cases it is the responsibility of the participant to fund their own travel, or the participant may come to their own arrangements with their attendant care provider to fund the travel costs incurred by the participant travelling in their own vehicle or the attendant care worker’s vehicle through a kilometre reimbursement.

**3 Special circumstances relating to reimbursement of travel expenses to a family member or friend assisting a participant to attend an appointment**

3.1 In special circumstances, Lifetime Care may consider reimbursing the reasonable travel expenses of a person who has assisted a participant to attend an appointment, *for example an appointment with a treating medical specialist*, in the following circumstances:

1. where the participant is unable to attend or participate in the medical appointment without support (for example, if the participant is a child or lacks legal capacity);
2. the person assisting them to the appointment is a legal guardian or person responsible/ family member or carer;
3. whether the participant requires attendant care support in addition to a family member or carer; and
4. where the expense is not otherwise compensable for the person seeking reimbursement under other forms of compensation such as a CTP or workers’ compensation claim.

3.2 Lifetime Care will only reimburse one person’s reasonable travel expenses where they are the legal guardian or person responsible.

3.3 Lifetime Care may consider that there are circumstances to warrant an attendant care worker to be funded to attend appointments, in addition to the reimbursement of a family member or friend as described above, when there is an assessed need for attendant care under Part 8 of the Guidelines.

3.4 Lifetime Care may set a fee schedule relating to such reimbursements in accordance with section 32 of the Act.