
WORKCOVER

WC301

Workers' Compensation and Injury Management Act 1981

**Workers' Compensation and Injury
Management Amendment Regulations 2021****SL 2021/221**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Workers' Compensation and Injury Management Amendment Regulations 2021*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette* (**gazettal day**);
- (b) the rest of the regulations —
 - (i) if gazettal day is before 1 February 2022 — on 1 February 2022; or
 - (ii) otherwise — on the day after gazettal day.

3. Regulations amended

These regulations amend the *Workers' Compensation and Injury Management Regulations 1982*.

4. Regulation 68 inserted

At the end of Part 10 insert:

68. Post-traumatic stress disorder: prescribed disease and prescribed employment (Act s. 49F)

(1) In this regulation —

ambulance emergency communications officer means a person whose primary duties include —

- (a) to receive telephone calls for emergency ambulance attendance; and
- (b) to provide instructions and advice, including first aid advice, prior to the arrival of an ambulance;

DSM-5 means the Diagnostic and Statistical Manual of Mental Disorders, 5th edition, published by the American Psychiatric Association in 2013;

paramedic means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the paramedicine profession;

psychiatrist means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession who is registered under that Law in the speciality of psychiatry.

(2) For the purposes of section 49F(1)(a) of the Act, post-traumatic stress disorder is specified as a prescribed disease.

(3) For the purposes of section 49F(1)(b) of the Act, the following kinds of employment are specified as prescribed employment for post-traumatic stress disorder —

- (a) employment as a paramedic;
- (b) employment as an ambulance officer;
- (c) employment as an ambulance emergency communications officer.

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- (4) Section 49F(3) of the Act does not apply to a worker who suffers an injury by contracting post-traumatic stress disorder unless —
- (a) the worker is diagnosed as having post-traumatic stress disorder by a psychiatrist in accordance with the diagnostic criteria in DSM-5 for post-traumatic stress disorder; and
 - (b) the worker is first diagnosed as having post-traumatic stress disorder (whether in accordance with paragraph (a) or otherwise) on or after the day on which the *Workers' Compensation and Injury Management Amendment Regulations 2021* regulation 4 comes into operation.

V.MOLAN, Clerk of the Executive Council.
