



# **NATIONAL VETERANS' AFFAIRS COMMITTEE**

**NVAC**

**CANBERRA**

**5 October 2011**

**MINUTES**



**National Headquarters  
Returned & Services League of Australia Limited**

A.C.N. 008 488 097

G.P.O. Box 303 Canberra A.C.T. 2601

Telephone: (02) 6248 7199 Fax: (02) 6247 7637

**THE RETURNED & SERVICES LEAGUE OF AUSTRALIA LTD  
ACN 008 488 097  
NATIONAL VETERANS' AFFAIRS COMMITTEE MEETING**

**Held at RSL National Headquarters - Canberra  
0900 Wednesday 5 October 2011**

**MINUTES**

1. Silence in Memory of Departed Comrades was observed at 0900.

2. **Welcome**

The Chairman welcomed all in attendance and in particular Bill Taylor from QLD to his first meeting.

**Attendance**

**Present**

Mr John Hodges JP	Chairman
Mr Arthur Craig OAM	ACT NVAC Delegate
Mrs Kathleen Craig	ACT NVAC Delegate
Mr John Haines AM	NSW State V-President
Mr Reg Tulip	NSW NVAC Delegate
Mr Bill Taylor	QLD QVAC Delegate
Mr Viv Quinn	QLD NVAC Delegate
MAJGEN David McLachlan AO (Retd)	VIC State President
Mr Jeff Jackson OAM	VIC NVAC Delegate
Mr David Skinner	TAS State Delegate
Mr Bill Gaynor OAM RFD JP	WA State President
Mr Jim Boland	WA State Delegate
Mr Bruce Topperwien	National Research Consultant
Mr Mickey Michaelis	NVAC Secretary

**Apologies**

Mr Derek Robson AM	National Secretary
Ms Wendy Rydon	SA NVAC Delegate
Ms Di Capus	SA NVAC Delegate

3. **Confirmation of Minutes**

a. **MOTION**

That the Minutes of the meeting held in Canberra on 27 July 2011 were confirmed.

<b>Proposed</b>	<b>VIC</b>	<b>Seconded</b>	<b>QLD</b>	<b>Carried</b>
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b. **MOTION**

That the meeting appointed Mr Jeff Jackson as Deputy Chairman NVAC

<b>Proposed</b>	<b>VIC</b>	<b>Seconded</b>	<b>WA</b>	<b>Carried</b>
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#### 4. Business Arising

NVAC noted that:

- a. VIC requested a Statement of Purpose and Terms of Reference from NVAC, and once approved, the States agreed to submit their advocacy, pensions and welfare support categories for consolidation into a specific core community benefit template;
- b. It was agreed to obtain legal definitions of welfare, welfare and pension officers and welfare and pension advocates so that the Community Benefits returns could then be audited in accordance with its Income Tax Exemption Charity (ITEC) status;
- c. Items on the Action List were addressed as follows:
  - 2010/1 Chairman raised this issue at the last OWP and a definite answer was expected from the OWP in December 2011;
  - 2010/2 All volunteer and paid advocates, welfare and pension officers were covered by VITA insurance and the issue was completed
  - 2010/5 The Chairman advised that this issue was ongoing and he would contact Ray Brown National President of the Injured Service Persons Association;
  - 2010/6 Item to be removed as it was no longer an issue;
  - 2010/7 This issue was similar to 2010/1 and was being dealt with by the OWP. A result is expected in December 2011;
  - 2010/8 The issue of the need for TIP trainers to emphasise that Practitioners offer choices and not advice was referred to SAPOF and removed from the list;
  - 2010/9 Medical certificates had been dealt with satisfactorily and item to be removed;
  - 2010/10 The development of electronic medical records has been incorporated into the eHealth and JeHDI schemes and the issue may be removed;
  - 2010/11 The Secretary DVA would brief NVAC on the latest Transition Management Services developments within Defence;
  - 2010/12 The Community Benefits template would be available for the February meeting;
  - 2010/17 the States RSF interdependent associations were tabled and the item completed;
  - 2010/19 Chairman is in the process of developing a paper on returning the responsibilities of carers of veterans back to DVA;
  - 2010/22 It was agreed that all States would recommend a State representative to Anne Pahl to assist with Emerging Issues;
  - 2010/23 Item removed, and any names which may be displayed would be removed from web sites;
  - 2010/24 The results of the 57 DVA Neuromonics Tinnitus trials would be announced by the OWP in December 2011;
  - 2010/26 Item removed as the SRCA claims had been processed effectively in different States;
  - 2010/27 Item removed as DVA were working on a common letter;
  - 2010/32 Item removed as this item would become an agenda item;

- 2010/33 Item removed as the issue of the MRCA Review was before the Minister;
- 2010/34 The Secretary NVAC to report on any further developments with mental health project reports;
- 2010/35 Item removed as this issue was resolved by the Productivity Commission;
- 2011/1 It was agreed that the Secretary NVAC would call for written reports and that the timings would be five weeks before the meeting with the agenda close three weeks before that meeting. Four days later the draft agenda would be prepared and finalised on the fifth. It was resolved that written reports with a dot point summary would be presented by representatives to the DVA Fora with an action request for NVAC to note, attend or finalised;
- 2011/2 Item removed and in future accepted observers would be acceptable at NVAC meetings to monitor procedures, and terms of reference for individual items. This would assist in any State succession planning programs under consideration;
- 2011/3 The Deputy Chairman would brief NVAC at the February meeting on the details discussed at the CMVH forum on Light Traumatic Brain Injury (TBI) to be held shortly in Canberra This would include the latest results from the TBI research requisitioned by DVA;
- 2011/5 QLD would continue to review VVCS reported data with their own and report to NVAC the reasons for the differences;
- 2011/6 Item removed as NACF would report on the latest Productivity Commission Review conversations being held by the Minister;
- 2011/8 Item removed following the submission of colour charts from Bruce Topperwien detailing the timeline analysis for RMA process reviews;
- 2011/9 The Secretary would recirculate QLD's paper on Veterans at Risk;
- 2011/11 Item removed;
- 2011/12 The Secretary undertook to prepare a draft paper in support of Assistance Dogs for wounded Australian soldiers;
- 2011/13 The Chairman would raise this issue of delays in INCAP payments resulting in loss of wages; and
- 2011/15 It was agreed that the issue of repeat hip replacement procedures were to be referred to SAPOF.

## 5. Veterans' and Military Compensation

NVAC discussed and noted that:

- a. The Veterans Entitlement had passed through Parliament and received Royal Assent. POWs were now in receipt of the increases;
- b. The Chairman undertook to seek views of the Secretary DVA as Defence, in collaboration with DVA, had undertaken a review and had initiated a *Support to Wounded, Injured or Ill Program (SWIIP)* that developed a whole of life framework for the care of wounded, injured or ill ADF members. It was noted that a key new initiative for DVA arising from SWIIP was the introduction of a national DVA on Base Advisory Service (OBAS). This service was introduced nationally from 1 October 2011. This had resulted in skilled DVA staff visiting ADF bases regularly and routinely to provide information and advice on DVA services and benefits to all ADF members, not just those medically separating.

The service would be co-located with the Area Health Centres around Australia wherever possible. The OBAS service included providing assistance to those who were wounded, injured or ill to lodge claims for compensation, preferably as close as possible to the time of injury; and

- c. It was agreed to ask the Secretary DVA to speak to the latest MRCA Review developments.

## **6. National Congress Items**

### **a. 2010 Item 1.1.15 Mental Health Disorders and Rehabilitation**

RSL Budget Submission 2012-2013, Item 3 on Mental Health Disorders and Rehabilitation appeal that the Government develop a national mental health rehabilitation scheme for veterans suffering with chronic mental health problems based on individual case assessment and management programs.

NVAC referred to the Department of Health's National Health Reform Program 2011-2012 which had been included in the budget. It was *agreed* that the Chairman draft a letter for the National President to include the following Government approach:

*The reforms also build on the considerable investments already made by Government in the past eighteen months – in tackling suicide, expanding headspace mental services, and underwriting more subacute beds, for example. Other reform agendas being implemented by this Government are also linked to these measures, including broader health reforms tackling homelessness, and better support for carers and those with disabilities – recognising that the needs of people with mental illness span multiple areas of Government.....*

*The Commonwealth will exercise national leadership – putting its own house in order through these immediate reforms, while giving states and territories an incentive to dedicate more resources to the mental health system through a new National Partnership. This will target the priority areas of accommodation support and presentation, admission and discharge from hospital, particularly emergency departments.....*

The Chairman advised that he would also draw on the original report prepared by QLD RSL Care and submitted to DVA through Ray de Vere. This would be added to the Action List;

### **b. 2010 Item 1.1.17 Recognition of Partners and Carers**

The Chairman reported that he had completed half of the draft paper on returning the responsibilities of carers of veterans back to DVA. The paper would include a review of the carer's allowances and pensions. (Action List 2010/19);

### **c. 2011 Item A1.1.1 Access to Ex Service Organisations Advocacy Support**

It was confirmed that advertisements had now appeared in all Service newspapers and relevant ADF research papers and the ACT was happy with this result;

### **d. 2011 Item B1.1.1 Amendment to Qualification Criteria – Orange Card**

It was confirmed that this issue appeared on the RSL Budget Submission reference page 6;

e. **2011 Item B1.1.2 Pharmaceutical Benefits for Veterans**

NVAC noted that although Government had made the determination that the scheme would commence during 2012 they were disappointed at the delay of payment resulting in the ceiling rate being calculated of an annual period. There was no further action to be taken and the matter was considered complete;

f. **2011 Item B1.1.3 Gold Card to widows of Veterans**

This issue has been raised annually since 2006 and NVAC did not support the issue of Gold Cards to widows of veterans as it was deemed to devalue the qualifying service for which it was determined;

g. **2011 Item B1.1.4 Provision of Gold Cards**

NVAC noted that the item appeared in the 2012-2013 RSL Budget Submission.

**7. CMVH**

NVAC noted that no report had been received. The Chairman had met with Professor Peter Warfe CSC the Director of CMVH and hoped to discuss shortly the mechanisms of reporting which existed under the previous director's tenure.

**8. DVA Fora**

a. **Operational Working Party (OWP)**

The Chairman covered the following under the action item list:

- i. Tinnitus Trials;
- ii. Changes to the VEA schedule 2;
- iii. Briefing on SWIIP ( Refer to the EI Report from Anne Pahl);
- iv. The overhaul of the Claims process including the injection of \$3.4m to accommodate the IT development program;
- v. Online processing of services i.e. transport and claims viewing; and
- vi. NVAC agreed that Bruce Topperwien would email his concerns with regard to the possibility of DVA changing its rules to allow electronic viewing of documentation. VIC had submitted its privacy concerns whereby access was granted by the National Archives to documentation released into the public domain after a period of thirty years. It was understood that this period may be reduced to twenty and finally to ten years and therefore was now a matter of concern for the RSL National Executive;

b. **National Health Aged and Community Care (NHACC)**

No report was received and it was noted that Ross Smith was retiring from RSL Care. The Chairman undertook to advise the National President of the preferred replacement to attend NHACC.

c. **Emerging Issues (EIF)**

NVAC noted the reports received from Anne Pahl. Items for submission to EIF from the League were urgently requested by Anne. Details of the processing of claims through JeHDI, MRCA Review, and Think Tank on mild TBI were discussed and noted;

d. **National Mental Health Forum (NMH)**

NVAC noted the report and summary of the NVAC working group into the Dunt review recommendations. The Chairman would forward the report to the OWP for a response during December 2011.

9. **RSL - NHACF**

NVAC noted the reports and expressed its concerns on the senior's gateway and lack of references to veterans. Respite care for those receiving care in their homes within the community and relief for carers was also noted as a concern by VIC. This arose from an incident where a veteran required immediate transition to an aged care facility and there was insufficient time for DVA prior approval. VIC was of the opinion that in cases of this nature DVA needed to exercise their duty of care more effectively.

VIC reported that the first of the special homes (Cairo Metro Adult Care Centres) for those disabled was due for completion in 2014, with the commencement of the first trial. Initially five units would be built with a further five planned

The Chairman reported on his discussions with Wendy Bateman, NHACF Chair concerning labels on food packaging for seniors which was successfully introduced by RSL VIC and Arthritis Australia through the NSW Health Department. It was noted that Georgia Tech USA evaluated packaging for consumers and providers of medical, disability, aged care and sport services and this service could be introduced into Australia.

10. **Defence Community Forum (DCF)**

NVAC noted that no reports were received.

11. **BEST/TIP Review**

- a. VIC tabled the Minister's reply to the National President, a copy of which was circulated to all delegates. NVAC noted that the variation between case numbers offered by League members compared with those recorded by the Department may depend upon the interpretation of conditions relevant to the case. It was agreed that at this stage it was a matter for the States as no strategic plan had been formulated nationally;
- b. NVAC noted the Service Integration Grants Scheme and discussed the options under Phases I and II covering feasibility study and implementation funding;
- c. NVAC noted the offer of the TIP National Chair to discuss the National Training Consistency Project and agreed that SAPOF should extend an invitation to address their next meeting to be held shortly.

**12. RMA**

NVAC discussed the issues of the time taken by the RMA to complete current investigations. Bruce Topperwien tabled graphs laying out the statistics including time taken, incorporating a black line trend line, average time taken over the past ten years escalating by an increase of up to one hundred days, and since 2007 where the RMA was in a position to do focus reviews, a resultant review of three years denied the Authority of presenting latest medical opinion.

The issue of whether the RMA was sufficiently funded was of concern as DVA had not released results from any audits mentioned in the Annual Reports. It was noted that SOPs were Legislative Instruments which required review every ten years, and the concern was that the RMA was entering a period of increased activity as the older Instruments were due for review in 2014 otherwise they become obsolete and fall away. VIC expressed the concern on the outstanding sixty SOPs and the effects on outstanding claims or conditions. Bruce undertook to examine those currently under review in detail.

**13. DVA**

- a. The Secretary to circulate the “Veterans at Risk” paper from QLD to all States;
- b. No further action was required for the Touchbase web site;
- c. NVAC noted that the Ian Campbell would address the issues of voluntary work and RC-v-Connell.

**14. VRB**

NVAC noted there was nothing to report.

**15. RSL Budget Submission 2012-2013**

NVAC noted the Budget Submission and the Secretary would draft the accompanying letter for the National President and ensure it was posted in a timely manner.

**16. State Issues**

- a. VIC tabled the response to the Temporary Incapacity Allowance and loss of earnings. The item was to be removed as there were no facts to support the emotive issues;
- b. NVAC noted that the Dawesville sub branch motion was in the Budget Submission. Chairman agreed to respond to the sub branch and provide a copy to WA It was agreed that the Chairman would also refer to the BCOF issues and that it appeared in the Budget as a priority item;
- c. NVAC noted the ACT report on data on the homeless;
- d. NVAC noted the responses from Dr Rod Bain to a report on Pituitary Hypophysitis and the matter was closed as it was being dealt with by the RMA; and
- e. NVAC noted that the issues of medical costs had been addressed in the RSL Budget Submission.

## 17. VITA

NVAC noted the VITA AGM documentation and Reg Tulip confirmed that ESO members operating out of veteran centres were covered by the VITA insurances through their respective organisations.

QLD raised the issue of VITA examining the MOUs of veteran centres as per the procedure protocols. The Chairman felt there was no need to submit a motion to VITA and the matter was closed forthwith.

## 18. Guest Speaker – Mr Ian Campbell PSM

The Chairman thanked Mr Campbell for his willingness to address the meeting and discuss strategies, policies and action plans of the Department of Veterans' Affairs with NVAC. Issues and events discussed were:

- Defence, DVA and ESOs were dynamic and ever changing institutions covering similar issues and proceeding along the same paths. He noted that the League was best placed with its emphasis on change as Legacy and other ESOs were struggling to come to grips with the issues and process;
- Histories of the Acts (VEA, SRCA and MRCA) pertaining to ex service and service persons, dependants and War Widows since the 1990s, and the positions in which these institutions found themselves in serving their stakeholders;
- Multiple deployments since 2000 would have an impact on the strategies employed with the veterans serving and ex serving as OneDVA was not designed to handle. Therefore a gradual change was recommended to overcome effect of staff not taking the interpretations of the Act too literally and additionally returning more responsibilities back to the DCs;
- Details of the new service model and the flexibility guidelines were explained;
- DVA and Defence liaison had improved considerably through SWIIP and support on bases through collocating with Defence Health. Difficulties and benefits of DVA presence on bases were noted;
- Reservists were missing out on services and this was being addressed by DVA;
- Internet online procedures are being introduced with transport the first and by 2014 they hope to have My-Account operating online;
- Rehab and Comp system would be next with Electronic health records systems in place in line with DoHA and through OWP;
- VAN offices would become Veteran Access Network as a gateway to services;
- Mental Health programs were to be addressed shortly with the RSL as DVA was of the opinion they were not currently well targeted to the young nor was the delivery system operating at its optimum;
- DVA now have a larger number of ex service and reservist members employed as staff with additional seminars being held between senior staff and current serving members to improve practical experiences within the Department;
- MRCA Review is still under consideration as there were costs involved and where this would sit within the Budget;
  - AFP were to have their own Act and this was with their Minister;
  - Differentials were the closest noted response to a single issue in the Review responses. However it was a costly issue for which the tight budget presented difficulties;
  - No difficulties were noted with the methodology for multiple claims; and
  - Incap payments remained a complex issue;
- PMAC initial terms of office have now expired and are under review by the Minister;

- Implications of Connell and the intermediate rate case were still being considered;
- Budget considerations appear to require savings to enable new programs for future development;
- The BEST decisions by the Department were discussed and DVA undertook to arrange for a detailed evaluation between VIC and the Department. The funding issue was explained by Ian; and
- Single Access Mechanism's (SAM) incapacity payments were examined and Ian Campbell undertook to review the time taken by ComCare to respond as that affected the time taken to process claims.

The Chairman again sincerely thanked the Secretary of DVA for his frank and explanatory address.

**19. Next Meeting**

The next NVAC meeting will be held at 0900 on 01 February 2012 in Canberra. The date change was due to the rescheduling of the National Executive meeting in Darwin to commemorate the anniversary of the bombing of Darwin.

**20. Closure**

The Chairman thanked all members and closed the meeting at 1335.

Herbert M Michaelis  
**Secretary**  
 7 November 2011

John Hodges  
**Chairman**

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