

APLA Exchange

Health Insurance Commission Review - repayment of benefits

The Health Insurance Commission Review is currently conducting a review of the scheme involving repayment of benefits from successful personal injury verdicts. The Commission believes that Notices of Statement of Benefits and Notices of Charge are being sent out on time i.e. within 28 days of receipt by the Commission of the appropriate documentation. The Commission has also indicated that it is policy to accept Authorities in favour of solicitors in which cases the Notices are sent both to the solicitor and the client.

I will be making representation to the Commission on behalf of the legal profession. Would any members whose experience differs from that set out above or who have other problems with the scheme please forward details to me as soon as possible, preferably with documented examples

Please send to: **Maurie Stack**, 207 Victoria Street Taree 2430, DX 7006 Taree, phone 02 6552 1544, fax 02 6552 6880

Bitumen & Asphalt Fumes/Hydrocarbon Exposure

We represent a client who has a kidney disease which may be linked to his employment working on the making of roads and due to the hydrocarbon exposure generated by the asphalt and bitumen fumes. We are aware of the research of David Douglas but are also interested to hear from anyone who has acted or is acting in a similar matter.

Please contact **Patrick Latham** at Doyle, Kingston & Swift, Solicitors, DX 4025 Dubbo, phone 02 6884 2388, fax 02 6884 2988

Transoesophagel echocardiogram

We represent a man who suffered an oesophagel perforation approximately 5 centimetres above his diaphragm during a transoesophagel echocardiogram, does anyone have a similar Claim?

Please contact **Murray Lyons & Co**, PO Box 638, Carins QLD 4870, phone 07 4051 4477, fax 07 4052 1040

Seatbelts & breakage

I act for a rear seat passenger in a taxi involved in a collision with a tram. As a result my client sustained serious head injuries.

It is alleged my client was not wearing a seatbelt at the time of the collision. I am seeking expert evidence as to the propensity of seatbelts to break or become unfastened during collisions.

Please contact **Bryan Thomas**, Rigby Cooke, GPO Box 4767UU, Melbourne Vic 3001 phone (03) 9656 8836 fax (03) 9650 9588 email bthomas@rigbycooke.com.au

Squash ball - eye injuries

A client recently received severe eye injury as a result of being hit in the eye by a squash ball. The injury could have easily been prevented had the client been wearing protective eye goggles. I would appreciate hearing from any practitioners who have been involved in litigation involving such injuries.

Please contact: **Keith J Graham**, Grahams Solicitors & Barristers, phone 02 6621 8144, fax 02 6622 1242

Sulphur Dioxide and Nitrogen Dioxide Exposure

We represent a worker who was exposed on a number of occasions to fugitive emissions of sulphur dioxide and nitrogen dioxide at a power station. We understand that the contaminants of sulphur oxide and nitrogen oxide are present in the flue gas, a by-product of fossil fuel power generation.

We need to retain a person to provide expert opinion and to give evidence in due course so far as exposure limits, probability of injury, sensitisation, cumulative damage etcetera are concerned.

Our client has, according to a Thoracic Physician, suffered a whole person impairment of 15 to 20 percent. The expert may need to attend a site inspection, conduct experiments, provide a report and attend a trial.

Please contact **Barry Ross** at V.A.J. Byrne & Co. Solicitors, PO Box 5273 Gladstone Qld 4680, phone 07 4972 1144, fax 07 4972 3205, email byrnevaj@bigpond.com.au

APLA Exchange gives APLA members a chance to share information on special issues or products relevant to their litigation. If you would like to submit a request to **APLA Exchange**, contact **Jane Staley** at APLA on phone 02 9415 4233.

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