



Accident and Health Declined Claims Examples



Voluntary Workers

Profile

Non Medicare Medical
Expenses

Background

The claimant was a retired person volunteering for a regional visitor information centre. They were carrying boxes and due to the weight, the person suffered an injury to their neck and shoulder.

They required surgery on their neck including a spinal decompression and a spinal fusion.

Outcome

The costs were partially refunded under Medicare and the claimant submitted a claim for the Medicare "Gap" amount of \$11,000.

Due to the health legislation in Australia, General Insurers are unable to reimburse any benefit where a Medicare payment has been made, therefore, DUAL was unable to reimburse the claimed amount.

Corporate Travel

Profile

Cancellation, Curtailment and
Loss of Deposits

Background

Claimant was on a business trip to London. Due to a weather event, the claimant's flight from London was cancelled. The claimant was scheduled to arrive back in Australia late Sunday night and the claimant had meetings scheduled for Monday morning.

The claimant was given the option of a flight 2 days later which would have had them arriving Tuesday. However, they chose not to take this option and booked their own flight at their own expense and on a different carrier.

The policy would have covered the flight change costs and 2 days additional accommodation.

Outcome

The claim was declined as the claimant was offered a solution which they turned down. The policy does not pay for inconvenience or loss of enjoyment or other non-economic loss. (Section 2 Cancellation, Curtailment and Loss of Deposits Exclusions, subsection 5)

Individual Personal Accident

Profile

Section 1 – Lump Sum Benefits

Background

55 year old cleaner injured his back at work which resulted in a prolapsed disc with sciatica. The claimant submitted a claim for Permanent Total Disability Lump Sum Benefit under the policy.

After undergoing an Independent Medical Examination (IME) with an Occupational Physician to determine whether he was eligible for the Total Disablement Lump Sum Benefit, the Doctor noted that the Claimant was likely aware of the condition in 2018 prior to his individual coverage date in 2020. Further, the Doctor opined that the claimed condition was considered a sickness, which is not a covered condition for the Total Disablement Lump Sum Benefit. He notes that “it [claimed condition] is not considered an injury but rather a sickness with ongoing issues with back pain since

2018 and 2019”. In addition to this, the claimant was noted to be not compliant with recommended medical advice and suggested that the claimant sought a second opinion for both surgical and non-surgical options.

Outcome

The claim for Total Disablement Lump Sum Benefit under the policy was declined as there was no accident that caused an injury and as the condition is considered to be a sickness. It was also determined that the claimant’s condition is a pre-existing sickness which is not a covered event under Section 1 – Lump Sum Benefits under the policy.