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# Patient Assisted Travel Scheme - Exceptional Rulings Guideline

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## 1. Guiding Principles

The WA Country Health Service (WACHS) [Patient Assisted Travel Scheme \(PATS\) Policy](#) describes eligibility criteria and responsibilities of WACHS staff and recipients of the PATS assistance.

The [PATS User Manual](#) ensures consistency in the application of PATS across all WACHS regions.

## 2. Guideline

### 2.1 What Exceptional Rulings are for

Exceptional rulings are made when an applicant meets the intent of the PATS scheme, which is equitable access to specialist medical services for people living in country Western Australia, but does not clearly meet the strict parameters of the PATS policy.

### 2.2 Exceptional Rulings do not form precedent

Exceptional rulings do **not** form precedents. They enable fair and equitable decisions to be made based on individual circumstances.

Exceptional Rulings may include situations where an applicant's health status may be compromised without PATS assistance, e.g. to extend accommodation assistance for ongoing long-term treatment; access to care at other than the closest service; access to a special service that is not a traditionally recognised medical specialist service under Medicare, but is deemed an essential health service for the client's health condition that cannot be provided locally; or for applicant escorts where the lack of an escort presents a risk to the applicant.

Because exceptional rulings are based on individual circumstances, it is possible that one applicant may have a combination of factors that warrant an exceptional ruling where a case involving a similar health condition but without the contributing factors and impacts may be declined.

### 2.3 Process for Making Exceptional Rulings: A Guide for Regional Directors

Regional Directors should ensure they have access to all material relevant to making an informed decision. If the information is ambiguous, further inquiries should be made to ensure decisions are being made in light of all the circumstances.

#### 2.3.1 Decision making Factors<sup>1</sup>

Have you considered all relevant matters in making your decision, including whether the applicant meets the intent of the scheme, including the following:

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<sup>1</sup> Adapted from 'A User's Guide to Administrative Decision Making', Law Institute of Victoria, 2013

- Is there anyone else (such as the Regional Medical Director, PATS Manager or PATS Central Office) that may provide more information to assist you?
- Does the record of the decision include:
  - your reasons for making the decision
  - the evidence you relied on
  - findings on material facts?
- Have you told the affected person what your decision is and advised them of any rights they have to apply for review?
- Is there anyone else you are required to inform about your decision?

Refer to [Appendix 1](#).

### **2.4 Appeals process**

If an Exceptional Ruling is declined, applicants are to be informed of their right to appeal, or to submit a complaint about the outcome.

Applicants are to be provided with information about a range of complaints options, including contacts and information for the health service of origin, the Health and Disability Services Complaints Office, and the Health Consumers Council.

Health Services are to ensure information and processes followed conform to the WA Health Complaint Management Policy 2015 (see the Department of Health [Operational Directive OD 0589/15](#)).

### **2.5 Summary: Assessing Exceptional Rulings**

- PATS application is declined, or alternatively, a PATS clerk escalates an application where the case appears justified but the application does not fall into the strict parameters of the policy.
- Applicant or advocate requests reconsideration by the Regional Coordinator.
- Applicant provides extra supporting information if required, such as a letter from a general practitioner (GP).
- Regional Coordinator considers whether the application should be considered as an exceptional ruling.
- Regional coordinator seeks additional information if required from the Regional Medical Director, Dental Specialist, other clinicians or PATS Central Office.
- Regional Coordinator forwards the application and supporting documentation to the Regional Director.
- Regional Director assesses application.
- Regional Director may request further information.
- Regional Director approves or declines application.
- Regional Coordinator finalises the outcome of the exceptional ruling in Share.
- Regional Coordinator informs the client and provides them with appeal information if Exceptional Ruling is declined.
- PATS team advised of the outcome and the level of assistance to be provided if approved.

**Note:** An exceptional ruling should be made per episode, and reviewed for subsequent episodes.

### 3. Roles and Responsibilities

Roles	Responsibilities
Regional Director	Makes decisions on Exceptional Rulings for cases outside the PATS policy but which meet the intent of the scheme.
Regional Medical Director	Makes recommendations to the Regional Director on individual clinical need of applicant. May consult with applicant’s clinicians.
PATS Regional Coordinator	Ensures PATS clerks are adequately informed about Exceptional Ruling processes and documents. Provides the Regional Director with relevant information in relation to Exceptional Rulings in a timely manner. Informs the applicant of outcome of the Exceptional Ruling. Maintains a register of Exceptional Ruling decisions.
PATS Clerk	Creates Exceptional Ruling in PATS Online. Provides relevant information to the Regional Coordinator. Make payments for Exceptional Ruling applicants as directed.

### 4. Compliance

#### Recording Exceptional Rulings

Regions are to keep a record of Exceptional Rulings and their details, including the name of the patient, location, claim number, and episode.

It is a requirement of the WA Health [Code of Conduct](#) that employees “comply with all applicable WA Health policy frameworks.

A breach of the Code may result in Improvement Action or Disciplinary Action in accordance with the WA Health [Misconduct Policy](#) or Breach of Discipline under Part 5 of the PSM Act."

WACHS staff are reminded that compliance with all policies is mandatory.

### 5. Evaluation

Area Office PATS staff will assess exceptional rulings annually on a qualitative and quantitative comparative basis to examine whether these guidelines have resulted in a change in the number or type of approved ERs.

## 6. Standards

[EQulPNational Standards](#) - 11.1.1, 13.9.2, 14.1.1, 15.2.1

## 7. References

The [PATs User Manual](#)

## 8. Related Policy Documents

WACHS [Patient Assisted Travel Scheme \(PATs\) Policy](#)

## 9. Related Policies

Department of Health [Operational Directive OD 0589/15 WA Health Complaint Management Policy](#)

## 10. Appendix

**Appendix 1:** [PATs Exceptional Ruling Checklist for Regional Directors](#)

**This document can be made available in alternative formats  
on request for a person with a disability**

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**Appendix 1: PATS Exceptional Ruling Checklist for Regional Directors**

<b>Relevant considerations may include:</b>	
<b>Clinical Considerations</b>	<ul style="list-style-type: none"> <li>* The applicant’s health or quality of life will be adversely affected and treatment is urgently required to prevent further deterioration.</li> <li>* Approval will support continuity of care.</li> <li>* The applicant’s condition (including multiple conditions) is likely to result in an ED presentation or hospitalisation in the foreseeable future unless they access the required service.</li> <li>* There are no other closer options available for the treatment being sought or to access the care needed.</li> <li>* The treatment being sought is a medically accepted and recognised clinical pathway that is not available in the region.</li> </ul>
<b>Financial Considerations</b>	<ul style="list-style-type: none"> <li>* The proposal is more cost effective or equivalent in cost.</li> <li>* The applicant is seeking care with a private service provider.</li> <li>* The applicant is financially disadvantaged and likely to avoid seeking the needed health care without financial assistance.</li> <li>* If declined, the financial obligation will fall to another WA Health Service.</li> </ul>
<b>Social and Safety Considerations</b>	<ul style="list-style-type: none"> <li>* The applicant has specific requirements that warrant additional travel assistance or an escort, including substantiated cultural considerations.</li> <li>* The applicant has responsibilities (carer/mother) requiring another individual to travel with them. For example, a child at risk.</li> <li>* There are factors involving local or other health services that have contributed to the individual’s health conditions and requirement to travel to access care, such as an adverse event and reasonable ground to have loss of confidence in the local health service.</li> <li>* There are factors that warrant the provision of support on ‘compassionate grounds’ which would be generally supported by the community.</li> <li>* There are post-operative services unavailable locally, such as access to surgical services after a tonsillectomy.</li> <li>* There is a risk to the patient if the application is declined.</li> <li>* There is a risk to WACHS, such as financial loss, or reputational or image damage.</li> </ul>
<b>Risk Assessment</b>	<ul style="list-style-type: none"> <li>* Consider the principles of patient safety and quality – will there be an impact if the application is declined?</li> <li>* Refer to the WACHS risk matrix if a full risk assessment is considered necessary.</li> </ul>
<b>Escorts</b>	<ul style="list-style-type: none"> <li>* Is the escort a primary carer? Will the absence of the carer impact negatively on the applicant’s ability to seek treatment or to return home?</li> </ul>