

Victorian Worker's Compensation Legislation

Approval of the Manner for Determining the Percentage of Diminution of Hearing

I, Ben Carroll MP, Minister for WorkSafe and the TAC, under sections 91(4)(a)(ii), 98E(3)(a)(ii) and 98(2AB)(a)(ii) of the **Accident Compensation Act 1985** and section 63(4) and 221(2) of the **Workplace Injury Rehabilitation and Compensation Act 2013**, approve the following manner of determining the percentage of diminution of hearing for the purposes of the Victorian Worker's Compensation Legislation:

- I. There shall be a comprehensive otological consultation, examination and report by the assessor who has successfully completed the Ministerially approved training course approved under the Victorian Worker's Compensation Legislation.
- II. The assessor is a registered medical practitioner and a member of the Australian Society of Otolaryngology, Head and Neck Surgery Ltd
- III. The assessor and the audiologist or audiological service providing the audiogram shall be independent and therefore not associated with the claimant's medical management, rehabilitation or claim for compensation.
- IV. The approved assessor or referring party shall take full responsibility for the accuracy of the audiology which shall be performed:
 - a. In a sound proof room which meets Australian standard AS IEC 60645, which prescribes ISO 8253;
 - b. Using an audiometer, either for pure tone audiology or cortical evoked response audiology (CERA) calibrated annually to the Australian standard AS IEC 60645-2002 which prescribes AS ISO 389-2007; and
 - c. By the approved assessor, or an audiologist under the direction of the approved assessor, within 28 days of the otological consultation and examination.
- IV. The compensable hearing loss shall be determined in accordance with the publication *Improved Procedure for Determining Percentage Loss of Hearing*, NAL report No.118 January 1988 published by the National Acoustic Laboratories including the presbycusis table in the same publication.
- V. The American Medical Association Guides to the Evaluation of Permanent Impairment Fourth Edition ("the AMA Guides") do not apply to the assessment of compensable hearing loss and regard must not be had to the AMA Guides.
- VI. In arriving at a definitive conclusion, the assessment may involve such other investigations as the approved assessor may consider necessary, including the consultant opinion of other approved person - in which case the final determination shall be made, and a report to that effect issued by the first approved assessor.
- VII. The determination will be made using the *Guidelines for the Assessment of Noise Induced Hearing Loss* (Revised 2025) by the Victorian Section of the Australian Society of the Otolaryngology Head and Neck Surgery.

Dated 27 / 4 / 26



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The Hon. BEN CARROLL MP
Minister for WorkSafe and the TAC