



WHEN YOU DON'T KNOW OR

UNDERSTAND SOMETHING

YOU ASK

WHY?

MUSCULOSKELETAL & SOFT TISSUE INJURIES

*HIGH
QUALITY
EVIDENCE-BASED
ANSWERS
REQUIRED*

WHY?

Joint Dynamics have Developed

a Unique Joint Function Assessment Tool

to Objectively Enhance

Rehabilitation Fairness, Accuracy & Accountability

in the

Musculoskeletal & Soft Tissue

Rehabilitation & RTW Arenas



To understand something when your knowledge is apparently incomplete, you ask

WHY?

- ❖ Why did Greg McCarthy ex-Chairman NSW WorkCover Authority state back on 20th October 2005, state after viewing an early prototype that he believed that *“the technology could become the new world Gold Standard in joint function assessments”*?
- ❖ Why did Michael Carapeit Chairman of icare praise the technology?
- ❖ Why did the Chief Medical Officer of icare state that subjective information sourced from the patient in a questionnaire about an injury was superior to objective and accurately measured physiological joint function parameters?
- ❖ Why does icare not understand that comprehensive and accurately measured objective data forms a more scientific and factual foundation of a capacity assessment than subjective information gained in discussions with the injured worker?
- ❖ Why did Professor Ian Harris (ex Chairman of the Musculoskeletal Group within the Agency for Clinical Innovation) recommend that the technology should be assessed by icare?
- ❖ Why did the Chief Medical Advisor to icare recommend that the technology be used in worker's compensation?
- ❖ Why did 30 Medical Assessors involved in worker's compensation not reply to an email asking of their interest in increased objective methods of assessment?
- ❖ Why did an Dr Val Kirychenko, ex GIO Medical Director Workers Compensation, believe that it would greatly enhance the quality of worker's compensation musculoskeletal assessments?
- ❖ Why did the Committee of the NSW Branch of the Australian Association of Orthopaedic Surgeons support a scientific trial, after A/Prof Ralph Stanford, Spinal surgeon POWH assessed a prototype on their behalf?
- ❖ Why do people outside the Workers Compensation industry including business owners, perceive the unique objective JFAS technology will enhance the quality and accountability of rehabilitation process and at the same time bring greater levels of fairness to injured workers that were previously unattainable?
- ❖ Why are Return to Work decisions (commonly based on subjective interpretations) not perceived to be greatly improved by basing those decisions on measured objective parameters of joint function such as range of motion and torque/strength at a maximal effort?
- ❖ Why did icare refuse to provide any detailed cost and treatment data when cost savings analysis was to be a key part of the evaluation Pilot?
- ❖ Why did icare not perceive that accuracy and objectivity would greatly enhance present methods?
- ❖ Why did icare terminate the evaluation Pilot after they agreed in writing to a Pilot Evaluation Trial to scientifically and comprehensively evaluate the technology?
- ❖ Why did icare advise that JFAS technology is not currently feasible as *“it is unlikely to lead to better outcomes and will add inconvenience and cost”* and when asked for the supporting evidence, refuse to provide it?

- ❖ Why did icare state in writing that they requested and obtained advice from the Agency for Clinical Innovation (ACI) when the ACI CEO stated in writing, that they had not carried out any assessment of the JFAS technology and in fact after a “*detailed forensic search*” could find no information or correspondence relating to Joint Dynamics?
- ❖ Why did icare not perceive that greater fairness and transparency would result from more accurate objective function data, if it was used as a foundation for more accurate assessments?
- ❖ Why were the major Medico-Legal companies not even interested in discussing a more objective method of assessing injured workers?
- ❖ Why did the Workers Compensation Independent Review Officer Kim Garling state that he was interested in evaluating the technology but then refuse to answer phone calls and emails?
- ❖ Why did a well-known orthopaedic surgeon state that he could estimate joint range of motion accurately and a machine was not necessary?
- ❖ Why did WIRO reverse many subjective work capacity decisions, if the original assessments were perceived to be accurate and provable?
- ❖ Why are monetary incentives, paid by the Government, when the RTW decision is based on virtually un-auditable subjective RTW functional Capacity Assessments functions?
- ❖ Why is it not perceived by the Workers Compensation industry that it is critical to use the most accurate, objective, unbiased, evidence-based foundation data when identifying the very important Maximum Medical Improvement (MMI) milestone where rehabilitation is stopped, as there is no further beneficial rehabilitation possible)?
- ❖ Why do many employers feel that they have little confidence in the accuracy or validity of worker’s compensation assessments?
- ❖ Why would the legal fraternity prefer to have arguable “grey” supporting evidence above independently certified accurate joint functional data?
- ❖ Why are critical Return to Work decisions, that are mostly based on subject sourced information, perceived to be of high quality. when virtually no meaningful comparative objective functional data is used as a basis for that decision?
- ❖ Why are present auditing processes perceived to be meaningful, if the majority of evidence in assessments is a subjective opinion with no objective basis?
- ❖ Why would a treating doctor prefer not to have accurate objective data that could be used to monitor the progress of the rehabilitation?
- ❖ Why would the Government ask the Chief Medical Officer of icare if there was a problem with the JD evaluation trial when he was directly involved in the decision on the matter?
- ❖ Why is fairness and accuracy apparently not the highest priority in the Rehabilitation and outcome for the injured worker?
- ❖ Why do possibly biased Case Managers, employed by the insurance Agent, make critical medical decisions without having medical training, medical qualifications or validated accurate objective data as the basis for making decisions?
- ❖ Why wouldn’t the Government, SIRA, icare, the Workers Compensation Commissioner, Wiro, the Medico-Legal fraternity, the legal fraternity and all parties involved in the Workers Compensation industry genuinely want the highest quality transparent assessment methods to ensure the greatest degree of fairness to the injured worker?
- ❖ Are there too many parties having a financial interest in maintaining existing subjective grey arguable assessment methods?
- ❖ Why are there so many WHY’s?