



Can I lodge multiple TPD claims for the same injury?

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If you have stopped work due to illness or injury, you may be able to pursue a total permanent disability (TPD) claim with your super fund for a lump sum insurance payout. We often speak with clients who ask, "*Can I lodge multiple TPD claims for the same injury/illness?*"

The short answer is yes.

Many Australians believe that insurance operates on a "one injury, one payout" rule. While this is true for car or home insurance, TPD insurance with your super fund is different. If you have held multiple jobs, you may have multiple superannuation accounts, and therefore, you may have multiple TPD policies that you can claim for the same injury.

We frequently see clients who expect a single payout (from their current super insurance), but, after a careful review of their employment and superannuation history, we can identify multiple super funds with active TPD insurance policies. Often, we can then secure multiple payouts across the different funds.

This guide explains how multiple claims work and the specific traps insurers set to stop you from accessing these life-changing funds.

Why do I have multiple super funds?

Most Australians unintentionally accumulate TPD policies simply by changing jobs.

Every time you start a new role, you or your employer may have opened a new super fund. Unless you have actively consolidated or rolled over your super funds, the attached insurance policies will have remained in the background.

Crucially, TPD eligibility is based on the date you stopped work due to your injury or illness, not the date you lodged your TPD claim(s).

Even if you closed a super fund some time ago, if you had TPD cover at the time your injury or illness caused you to stop work, you can still claim on that closed policy today.

Timing of claims and evidence are crucial

While you can claim against multiple TPD policies, it is rarely as simple as filling out the forms with each fund and waiting for the money. Super funds and their insurers have developed complex clauses to protect their bottom line. If you lodge claims in the wrong order or with inconsistent evidence (particularly medical evidence), you risk having your payouts reduced or denied entirely.

Offset clauses

TPD policies generally allow for multiple claims to be pursued and do not contain offset clauses. An offset clause is a term in an insurance policy that allows the insurer to reduce the amount they pay you by subtracting (or offsetting) payments you have received from another source for the same injury or loss.

However, you should never assume your TPD policy is free of offset clauses.

Some modern policies do contain fine print stating they will reduce your payout by the amount received from any other litigation or insurance claim. A lawyer's role is to identify these clauses **before you lodge your claim**, strategising the order of claims to avoid triggering a reduction in the payout.

The "active cover" hurdle

To claim on an old fund, you must prove you had "active cover" on the date of disablement.

Whilst this might seem straightforward, it is often complex when chronic illnesses or injuries develop over a period of time and workers are required to reduce their hours, take time off and endeavour to return to work. This can occur over a number of months or even years and can make the claims process more complicated. You can read more in our earlier blog, ["Can I claim TPD benefits years after stopping work due to injury or illness?"](#)

We carefully review your medical evidence to prove that your incapacity began whilst you were still contributing to the fund, even if you hadn't formally quit your job yet.

If you are thinking about leaving work due to your injury or illness, it's important to seek legal advice first to ensure you protect your TPD entitlements.

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Inconsistent medical evidence

This is often how insurers try to deny multiple claims.

For instance, if you tell Fund A that your back injury is the sole reason you can't work but tell Fund B (perhaps years later) that depression is the main reason you can't work, the insurers (who often share data) will use your own words against you to deny both claims.

Your medical evidence must be consistent, comprehensive, and cover all contributing conditions across every single application.

For more information on the TPD claims process, see our blog, ["TPD claims - your complete guide"](#).

Case study: how pursuing multiple claims changed Sue's life

Disclaimer: This is an example based on common client scenarios, not actual clients.

Sue, a 45-year-old cleaner, suffered a severe ankle fracture requiring multiple surgeries. Due to the severity of her injuries, she could no longer perform manual work. At the time of her injury, she had multiple employers whom she worked for on a casual basis.

Sue approached us, believing she had one claim with her current super fund, valued at \$120,000.

Upon taking careful instructions from Sue and investigating her employment history via the ATO, we discovered that Sue had multiple active funds. These included:

1. Fund A (Current): Active cover of \$120,000.00.
2. Fund B (Current): Active cover of \$200,00.00.
3. Fund C (Current): Sue had not contributed for 12 months, but the cover was still active at the date of her injury with a value of \$150,000.

We then carefully reviewed the policy documents for each fund and lodged all three claims simultaneously. It was crucial that the medical evidence was managed carefully to ensure that our client met the differing "Total Permanent Disability" definitions contained in each policy.

With the right strategy (ensuring claims were lodged in the right order, medical evidence was strong and consistent, and all documentation was accurately completed), we secured Sue a payout from all three funds, totalling \$470,000.

The TPD benefits were life-changing for Sue and allowed her to access the medical care that she needed, as well as support her family.

5 reasons to use a lawyer for multiple TPD claims

Whilst you can lodge multiple TPD claims yourself, obtaining legal advice early on is crucial to ensure you give each of your claims every chance of success.

1. We find policies you forgot about: We have access to superannuation search tools and know which industry funds typically held default TPD cover during specific years.
2. We handle the "definition" battle: Fund A might use an "own occupation" definition, while Fund B uses a stricter "any occupation" test. We tailor your submission to meet each specific definition.
3. We prevent "offset" surprises: We review every Product Disclosure Statement (PDS) to ensure one payout doesn't cannibalise the other.
4. We shield you from the insurer: Insurers will ask to interview you. They are trained to extract admissions from you that damage your claim. We act as the shield, handling all correspondence so you don't accidentally say the wrong thing.
5. No win, no fee: Our firm operates on a contingency basis. If we don't secure you a payout, you don't pay us legal fees. You have nothing to lose by letting us look.

Eligibility for a TPD claim

If you can answer "Yes" to these three questions, you likely have a valid claim (or claims) for TPD benefits with your super fund:

- Have you stopped working due to an injury or illness (physical or mental)?
- Did you have superannuation accounts with TPD insurance at the time you became ill/injured? (If you're unsure, call us and we can check for you, for free).
- Do you have a doctor who will support that you can no longer work in your qualified field due to your injury or illness?

Get help from a TPD lawyer

If you've had to stop work due to an injury or illness and you have multiple TPD claims to consider, you should seek legal advice to ensure you can maximise the payout from each of the funds.

If you're unsure what super funds you had at the time you stopped working, we will track down your employment/super history, identify every potential policy, and give you a clear roadmap of what your claims are worth. We provide initial free advice and undertake our work on a "no win, no fee" basis, so it costs you nothing to find out where you stand.

Contacting Guardian Injury Law

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