



Policy Amendment Proposal HC-08 First Nations or Inuit Traditional Healing

This policy amendment proposal relating to First Nations or Inuit traditional healing will reflect the issues consulted on during the engagement for the *Workers' Safety and Compensation Act* (the 'Act') and will align the amendments made in the new legislation.

The new Act comes into force July 1, 2022. The intended effective date of the proposed policy amendments will be July 1, 2022.

The proposed amended First Nations or Inuit Traditional Healing policy will reflect minor changes to ensure consistency with the provisions of the Act.

A five-year policy review plan will be developed later in 2022. After July 1, 2022, all amended policies to align with the new Act will be prioritized for a more detailed review.

The purpose of this policy is to provide information regarding when requests for First Nations or Inuit treatment options may be permitted by the board.

Relevant sections of the Act

The following sections of the Act are relevant:

- 111 health care assistance
- 114 alternative and traditional healing methods

Proposed minor changes to this policy are highlighted in yellow

- changes to section references, language and definitions

Board Orders/Regulations

N/A

Current policy

[HC-08 First Nations or Inuit Traditional Healing](#)



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The board of directors is providing this policy amendment proposal to stakeholders seeking their input, comments, questions and suggestions.

Some questions for consideration:

1. Are there any general comments about this policy proposal?
2. Are there any gaps in this policy proposal?
3. Additional comments?

The views of our stakeholders are important to us. All feedback will be considered prior to the board of directors approving any amendments.

Engagement on this policy proposal closes on **April 30, 2022**. Please provide your feedback by:

1. Downloading a [fillable form](#) on our website and sending it as an attachment to Policy.Feedback@wcb.yk.ca
2. Emailing comments directly to Policy.Feedback@wcb.yk.ca
3. Receipt in our building by April 30, 2022, by mail or drop off at
*Yukon Workers' Compensation Health and Safety Board
401 Strickland Street
Whitehorse, Yukon Y1A 5N8*

By the end of May a summary of all feedback on this policy amendment proposal will be published on our website at www.wcb.yk.ca



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Preventing work-related injuries is the most important job in any workplace. The *Workers' Safety and Compensation Act* establishes the responsibilities of all workplace parties to work together to ensure the physical and psychological health and safety of workers. When injuries do occur, workers and employers must continue to work together to facilitate an injured worker's early and safe return to health and work.

Purpose

This policy provides information regarding when requests for First Nations or Inuit traditional treatment options may be permitted by the board.

Definitions

board means the Workers' Safety and Compensation Board

health care provider means

- (a) a medical practitioner; or
- (b) a health care provider recognized by the board.

traditional healing means the sum total of the knowledge, skills, and practices based on the theories, beliefs, and experiences of First Nation or Inuit cultures, whether explicable or not, used in the maintenance of health as well as in the prevention, diagnosis, improvement or treatment of physical illness, and support of emotional and spiritual wellness. Traditional healing has a long history (i.e. at least 50 consecutive years) of use. Traditional healing involving First Nation or Inuit cultural interventions may consist of ceremonial, medicinal treatments or other approaches to healing

traditional healing assessment provider means a provider, approved by the board, who is associated with a licensed medical facility and who has knowledge and expertise in traditional healing

worker means a person who performs work or services for an employer under a contract of service or apprenticeship, written, or oral, express or implied and as further defined in section 77 of the Act



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Policy Statement

1. General

The board may provide a worker with health care assistance, including services, devices or equipment that are necessary to grant relief from a work-related injury. All questions as to the necessity, character and sufficiency of any health care assistance are determined solely by the board.

In the treatment of work-related injuries, the board promotes, when appropriate, mutual understanding, knowledge and respect between the providers of health services under the health care system and the providers of traditional First Nations or Inuit nutrition and healing. The board may permit the use of alternative or traditional treatment options that workers may desire in the treatment of work-related injuries.

2. Authorizing First Nations or Inuit Traditional Healing (new title)

A worker may request that traditional healing be part of the treatment plan for recovery from a work-related injury. The board may facilitate traditional healing as an appropriate approach to health care treatment for a worker.

When the board receives a request from a worker for traditional healing, the request will be reviewed considering such factors as the average expected healing time for the work-related injury. The board may then refer the worker for an assessment to determine whether traditional healing is appropriate for the worker and their work-related injury. If traditional healing is recommended by the traditional healing assessment service provider, the treatment plan arising out of the assessment may include, but is not limited to the:

- a. nature of traditional healing recommended;
- b. location and characteristics of potential traditional healers;
- c. expected outcomes of the traditional healing (e.g. improved function, improved return to work capacity);
- d. estimated duration of healing process;
- e. estimated cost of traditional healing; and
- f. identification of pre-existing conditions (see policy [EN-07 Pre-Existing Conditions](#)).

The board will consider the recommendation for traditional healing, the proposed treatment plan and the cost-benefit analysis of the plan (see policy [HC-01 Overview: Provision of Health](#)



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[Care Assistance](#)) and may authorize payments for traditional healing based on the individual circumstances of the case.

Workers who are receiving traditional healing as part of their treatment plan for recovery from a work-related injury must:

- a. also be under the care of a medical practitioner for the work-related injury;
- b. advise their medical practitioner that they are receiving traditional healing for the work-related injury, and
- c. mitigate their loss (see policy [RE-03 Mitigation of Loss](#)) by discontinuing traditional healing where it is recommended by their medical practitioner, **the board**, the traditional healing assessment provider or where the worker believes the traditional healing is causing increased impairment or prolonged and/or further loss of earning capacity. The worker must immediately notify **the board** and their medical practitioner of this information. Failure to mitigate loss may result in reduction, suspension or termination of benefits.

Related Policies

[EN-07 Pre-Existing Conditions](#)

[HC-01 Overview: Provision of Health Care Assistance](#)

[RE-03 Mitigation of Loss](#)
