



Policy Amendment Proposal

HC-01 Overview: Provision of Health Care Assistance

This policy amendment proposal relating to an overview of health care assistance 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 Overview: Provision of Health Care Assistance 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 outline the guiding principles for the provision and authorization of appropriate health care assistance that is consistent with accepted practices within the health care community.

Relevant sections of the Act

The following sections of the Act are relevant:

- 111 health care assistance

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



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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 outlines the guiding principles for the provision and authorization of appropriate health care assistance that is consistent with accepted practices within the health care community.

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.

medical practitioner means

- a. a person who is entitled to practice medicine in Yukon pursuant to the *Medical Profession Act*; or
- b. a person entitled to practice medicine under the laws of another province.

permanent impairment in respect of a worker means a permanent physical or functional abnormality or loss, including disfigurement, that results from a work-related injury

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

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



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necessity, character and sufficiency of any health care assistance are determined solely by the board.

The board authorizes the provision of timely and appropriate health care assistance to a worker to:

- a. restore function, thereby enabling a worker to stay at work or safely return to work;
- b. address the worker's medical needs arising out of their work-related injury;
- c. promote safe and timely healing; and
- d. mitigate any unintended or subsequent health-related conditions.

The board will cover the cost of health care assistance to a worker where, in its opinion, the health care assistance is appropriate with respect to the worker's work-related injury, and is consistent with accepted practice within the health care community.

Unless exceptional circumstances warrant, the board will only approve health care assistance that is provided by medical practitioners or health care providers if they are in good standing with a Canadian association or regulatory body, as applicable.

The board may consider traditional healing (such as First Nation traditional healers) on a case by case basis in accordance with policy [HC-08 First Nations and Inuit Traditional Healing](#).

2. Approving Health Care Assistance – Key Considerations

Mitigation

Workers must take personal responsibility for their recovery, and co-operate with treatment plans, health care providers and **the board** (see policy [RE-02-2 Duty to Co-operate, Part 2 of 4: Roles and Responsibilities](#)). They must also mitigate any loss caused by their injury.

Mitigation of loss includes the worker staying at work where safe to do so and where functional abilities allow, actively participating in appropriate and safe treatment protocols, and co-operating in a worker's early and safe return to suitable and available employment with the pre-injury employer (see policy [RE-03 Mitigation of Loss](#)).

Failure to mitigate loss may result in reduction, suspension or termination of benefits (see policy [RE-02-4 Duty to Co-operate, Part 4 of 4: Penalties for Non Co-operation](#)).

Appropriateness of the Assistance

Approved health care assistance must be appropriate to the **work-related** injury and to the worker.



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In determining what constitutes appropriate health care assistance, **the board** will consider the recommendation of the treating health care provider and the intended benefit of the treatment, service or device in relation to the **work-related** injury. If this determination cannot easily be made, **the board** may, in consultation with the worker's physician, specialist or **the board** medical consultant, consider current evidence-based guidelines, current scientific evidence about effective health care, and the functional disabilities and abilities pertaining to the work-related injury.

Prescribed Treatments, Devices and Accessories

The board will pay for treatments, devices and accessories prescribed by licensed health care providers where, in **the board's** opinion, the treatment, device or accessory will:

- a. address the worker's immediate medical needs;
- b. improve or maintain the worker's functional abilities;
- c. improve the likelihood of early and safe return to work;
- d. minimize the risk of further injury or aggravation of the **work-related** injury; or
- e. reduce the severity of symptoms, where the work-related injury has a significant impact on daily living activities.

The board will not pay for health care that is not considered appropriate, as set out in this and other health care-related policies.

Health care providers, such as licensed physicians, are pre-approved under policy for many services; however, there are specific tests and treatments that require prior approval of **the board** (for example, non-emergency referrals requiring travel outside Yukon or extensions for approved treatment plans).

Health care assistance must be both timely and cost-effective, with demonstrated progress towards outcomes.

Health Care Practitioners *(new title)*

If a worker is receiving concurrent health care assistance from more than one provider, including any alternative or traditional healing approaches that approved health care assistance must be under the supervision of and co-ordination by a medical **practitioner**, dentist or nurse practitioner, as appropriate to the situation.

If a worker is only receiving treatment from one licensed health care provider, whose service is within their scope of practice and is appropriate to the work-related injury, there is no



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requirement to be under the co-ordination and supervision of a medical practitioner, dentist, or nurse practitioner.

Long Term Health Care Assistance Plans

Once the board determines that the worker has achieved maximum medical recovery, a long term health care assistance plan may be developed that sets out the authorized health care assistance in respect of the work-related injury.

Related Policies

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

[RE-02-2 Duty to Co-operate, Part 2 of 4: Roles and Responsibilities](#)

[RE-02-4 Duty to Co-operate, Part 4 of 4: Penalties for Non-C-operation](#)

[RE-03 Mitigation of Loss](#)
