

**Chapter: Benefits**

**Legislative authority:** section 111

*Prevention statement*

*Preventing injuries is one of the most important responsibilities in the workplace. The Workers' Safety and Compensation Act (the '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 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 3.15 First Nations or Inuit Traditional Healing.

### 2. Approving health care assistance – key considerations

#### *2.1 Mitigation*

Workers must take personal responsibility for their recovery, and co-operate with treatment plans, health care providers and the board (see policy 4.3 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 2.5 Mitigation of Loss).

Failure to mitigate loss may result in reduction, suspension or termination of benefits (see policy 4.5 Duty to Co-Operate, Part 4 of 4: Penalties for Non-Co-Operation).

### *2.2 Appropriateness of the assistance*

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

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.

### *2.3 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.

### *2.4 Health care practitioners*

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

### *2.5 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.

---

## History

HC-01 Overview: Provision of Health Care Assistance, effective January 1, 2010, revoked July 1, 2022