

 Yukon Workers' Compensation Health and Safety Board	<b>Part:</b>	<b>Entitlement</b>		
	<b>Board Approval:</b>	<i>Original Signed by Chair</i>	<b>Effective Date:</b>	<b>July 1, 2008</b>
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	<b>Board Order:</b>		<b>Review Date:</b>	

## **EMERGENCY TRANSPORTATION**

### **GENERAL INFORMATION**

The *Workers' Compensation Act* S.Y. 2008 (the "Act") states that where a worker suffers a work-related injury, the worker's employer shall immediately provide and pay for emergency transportation for the worker to a hospital, medical practitioner, home or other place that may be required by the worker's condition.

Further, the *Act* states that where an employer fails to provide emergency transportation and another person or the Yukon Workers' Compensation Health and Safety Board (YWCHSB) incurs expense at doing so, the YWCHSB shall reimburse the person and shall recover the amount from the employer.

The Minimum First-aid Regulations, pursuant to the *Occupational Health and Safety Act*, state that the first-aid attendant shall be in charge of all first aid treatment until medical aid is available. The decisions of the first-aid attendant shall not be overruled by supervisory personnel.

### **PURPOSE**

This policy provides direction to employers and the YWCHSB on the provision of emergency transportation for injured workers.

### **DEFINITIONS**

- 1. Emergency:** a work-related injury that calls for immediate action without the benefit of full medical deliberation.
- 2. Emergency Transportation:** the immediate transport of a worker, who has suffered a work-related injury, to initial treatment.
- 3. Initial Treatment:** medical treatment, provided by a nurse working in an expanded role or by a medical practitioner that stabilizes the condition of the injured worker and allows for full medical deliberation in taking further action.

**4. Nurse Working in an Expanded Role:** a nurse with outpost nursing or advanced clinical skills training who is recognized as such by the Yukon Government. This designation allows the nurse to carry out an initial physical assessment and, in consultation with a medical practitioner, provide treatment, dispense medication and request a medivac as required by the condition of a patient in a small community or in a remote location.

## PREVENTION

Preventing workplace injuries is the responsibility of everyone in the workplace. When injuries do occur, however, it is important for workers and employers to try to minimize the impacts by obtaining and using health care services as soon as possible to ensure the timely and safe recovery of the worker.

## POLICY STATEMENT

### 1. Calling for Emergency Transportation

The first-aid attendant decides whether a work-related injury requires emergency transportation, and, if the first-aid attendant is not present, the employer, the worker or another person may call for emergency transportation.

### 2. Emergency Transportation Costs

The employer is responsible for the payment of all emergency transportation costs to initial treatment within Yukon. If emergency transportation takes the injured worker out of Yukon, the employer is responsible for payment of the Yukon portion of such transportation including percentage payment of air transport to Yukon border.

Emergency transportation costs are all costs related to transporting an injured worker to initial treatment. These costs include, but are not limited to, air carriers' contract services, medical practitioners' travel expenses, ambulance services, telecommunication charges, employees' wages, and employees' travel expenses. Costs may also include any other means of transportation (e.g., boat or snowmobile) required to move an injured worker.

Emergency transportation costs are separate from, and may be in addition to, costs incurred by fulfilling the requirements of the Minimum First-aid Regulations of the *Occupational Health and Safety Act*.

### 3. Subsequent Emergency Transportation Costs

If, as a result of an injured worker's condition, a medical practitioner is called to the site of injury, and the medical practitioner subsequently decides that the injured worker should be transported to a medical facility, the decision-maker may approve payment of some or all of the subsequent transportation costs of the injured worker.

## **APPLICATION**

This policy applies to the Board of Directors, President/CEO and staff of the YWCHSB, the Workers' Compensation Appeal Tribunal (Tribunal) and to all workers and employers covered by the *Act*.

## **EXCEPTIONAL CIRCUMSTANCES**

In situations where the individual circumstances of a case are such that the provisions of this policy cannot be applied or to do so would result in an unfair or an unintended result, the YWCHSB will decide the case based on its individual merits and justice in accordance with YWCHSB policy, "Merits & Justice of the Case". Such a decision will be considered for that specific case only and will not be precedent setting.

## **APPEALS**

Decisions made by the YWCHSB under this policy can be appealed directly in writing to the hearing officer of the YWCHSB in accordance with subsection 53(1) of the *Act*. Notice of the appeal must be filed within 24 months of the date of the decision by the YWCHSB, in accordance with section 52 of the *Act*.

## **ACT REFERENCES**

Sections 38, 52 and 53  
*Occupational Health and Safety Act*  
Minimum First-Aid Regulations

## **POLICY REFERENCE**

EN-02, "Merits and Justice of the Case"

## **HISTORY**

CL-48, "Emergency Transportation", effective April 13, 1993, revoked July 1, 2008.

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Chair