

# PROGRAM POLICY

**NUMBER:2.3.5**

Effective Date: February 25, 2011

**Topic: Medical Aid – General Principles**

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Section: Health Care

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Subsection: General

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## PREAMBLE

The purpose of this program policy is to describe the general principles the *Workers' Compensation Board* (the "WCB") considers in the delivery of medical aid to injured workers who have been caused a personal injury as the result of a workplace accident.

## DEFINITIONS

"medical aid", as defined in Section 2(r) of the *Workers' Compensation Act* (the "Act"), includes

- (i) any health care service, product or device that may be authorized by the Board and is provided to a worker as a result of a compensable injury, including those forms and reports required by the Board respecting the aid or services, and
- (ii) reasonable expenses, authorized by the Board, incurred by a worker in order to obtain medical aid.

## POLICY STATEMENT

### 1. General

In accordance with Section 102 of the *Act*, the WCB may provide any medical aid the WCB considers necessary or expedient as a result of the compensable injury. In making this determination, the WCB considers *Policy 2.3.1R – Provision of Health Care Services* and other medical aid policies which are applicable in specific circumstances.

In providing medical aid, the WCB is responsible to determine the necessity, character and sufficiency of medical aid, as per Section 104 of the *Act*. This means the WCB determines the need for medical aid; the type of medical aid; and the extent to which medical aid is required.

### 2. General principles in the delivery of medical aid

In the provision of medical aid, the WCB generally considers, but is not limited to, the following principles.

- a) **The WCB uses only WCB-approved health care service providers to deliver medical aid services, as described below.**

The WCB is committed to ensuring that injured workers receive appropriate standards of care

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from health care service providers. Accordingly, the WCB authorizes payments to only WCB-approved health care service providers. WCB-approved health care service providers include those that the WCB recognizes as licensed or accredited to deliver health care services in Nova Scotia through provincial or national licensing agencies. If provincial or national licensing agencies do not exist for a particular service provider class, the WCB may approve the use of those service providers to deliver medical aid services to injured workers.

**b) The WCB promotes timely access to medical aid services, as described below.**

Prompt access to appropriate treatment and services is important to aid the recovery of injured workers and to reduce the effects of the compensable injury. Where appropriate, the WCB may arrange for an injured worker to receive treatment or services in an alternate location if local sources of services are unavailable, or delayed.

**c) The WCB requires injured workers to co-operate in any medical aid service that promotes the worker's recovery, as described below.**

This principle reflects Section 84 of the *Act*, which states that the worker has a duty to co-operate in any medical aid or treatment that promotes the worker's recovery and provides the authority for the WCB to suspend, reduce or terminate compensation where the worker fails to co-operate.

Also implicit under this principle is the requirement for a worker to submit to a medical examination if requested to do so by the worker's employer, the WCB or the Appeals Tribunal, as per Section 85 of the *Act*. If the worker objects to a request, the WCB may determine if the request is reasonable.

**d) The WCB requires employers to provide, at their own expense, immediate and appropriate transportation to a hospital or physician to any worker in their employment, who is in need of it as the result of a workplace injury, as described below.**

This principle reflects Section 107 of the *Act*, which states that, following a workplace injury, every employer must provide a worker, who is in need of it, with immediate and appropriate transportation to a hospital or a physician located within the area or within a reasonable distance of the place of injury, at the employer's expense.

**e) Best efforts will be made by the WCB to support injured workers in their initial choice of WCB-approved health care service provider, as described below.**

Once the WCB has approved a particular type of medical aid service or treatment, best efforts will be made to support the injured worker's choice of health care service provider to deliver that service or treatment, from among those that are WCB-approved and qualified to deliver the medical aid. The WCB may limit the number of visits to health care service providers to what is appropriate for the injured worker's compensable condition.

When authorizing appointments with WCB-approved health care service providers, the WCB considers the condition of the injured worker, waiting times, and distance to be traveled for the appointment or treatment.

**f) The WCB establishes the fees it pays for medical aid related services through negotiation with individual WCB-approved health care service providers or WCB-approved health care service provider groups or by adoption of health care service provider fee schedules, as**

**appropriate.**

- g) The WCB ensures the appropriate medical aid in the form of a product or device is provided in a cost-effective manner, as described below.**

While the WCB's foremost responsibility is to ensure the quality care and rehabilitation of injured workers, the WCB also has a responsibility to mitigate costs to the workers' compensation system where appropriate. Where there is a choice in the type of medical aid product or device that will satisfy a worker's needs, best efforts will be made to ensure that the product or device that satisfies the worker's needs is chosen in the most cost-effective manner.

## **APPLICATION**

This program policy applies to all decisions made on or after February 25, 2011.

## **REFERENCES**

*Workers' Compensation Act* (Chapter 10, Acts of 1994-95), Sections 2 (r), 102, and 104.