

Client Services Policy Manual

Policy Number: **EN-04**
Subject: **Cardiac Conditions**
Chapter: **Entitlement**

Policy Statement

Cardiac conditions are compensable when the cardiac condition is established as arising out of and in the course of employment.

Cardiac conditions may be considered under any of the following circumstances:

1. Traumatic injury involving penetrating and non-penetrating injury to the chest wall.
2. Electric shock producing irregular cardiac rhythm.
3. Inhalation of smoke and various noxious gases and fumes.
4. Complication of treatment for a compensable injury (i.e., anaesthesia with an interval of hypotension or cardiac arrest).
5. Cor pulmonale associated with compensable chest disease.
6. Unusual physical exertion or acute emotional distress with no significant delay in the onset of symptoms. In this instance, the claim is allowed as an aggravation of a pre-existing non-compensable condition.

General

Temporary Disability

When a claim is accepted for a cardiac condition, the worker is entitled to full benefits for earnings loss and health care during the acute stage. Most claims are considered to be an aggravation of a pre-existing non-compensable condition, usually atherosclerotic heart disease.

Subsequent Cardiac Conditions

The following guidelines apply when entitlement is established for a cardiac condition and there is a subsequent cardiac condition:

- Ongoing entitlement is not limited if the subsequent condition is related to the compensable cardiac condition.
- Further entitlement is not provided for the subsequent condition once the cardiac condition has stabilized and a permanent functional impairment (PFI) evaluation has

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been completed, unless there is a new work-related incident that merits consideration of a new claim.

Permanent Functional Impairment (PFI)

The following guidelines apply for a PFI assessment:

- The PFI review may be carried out at the point of maximum recovery (i.e., usually 12 to 18 months after the acute occurrence). The assessment is arranged with an outside physician.
- After a PFI assessment is completed, any ongoing medical treatment arising from an underlying pre-existing vascular disease, is not compensable. Exceptions may be considered for a surgical procedure in the acute phase of the disability (i.e., coronary artery bypass). Decisions regarding ongoing entitlement may be made in consultation with a WorkplaceNL health care consultant.

Fatal Claims

The following guidelines apply if death occurs because of a cardiac condition:

The claim may be accepted as a fatality claim if the death occurs shortly after initial onset or while in the acute phase of the cardiac condition.

The claim is not accepted if the death occurs as a result of a new or progressive cardiac condition, unless there is a new work-related incident that merits consideration of a new claim.

Presumption for Cardiac Coverage for Firefighters

A worker who is or has been a firefighter or a volunteer firefighter who is diagnosed with an injury to the heart that manifests within 24 hours of responding to an emergency, will be presumed to have developed their cardiac condition as a result of their work, unless the contrary is shown.

The rebuttable presumption applies to injuries occurring on or after November 30, 2022.

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Merits and Justice

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 unintended result, WorkplaceNL will decide the case based on its individual merits and justice as outlined by Policy EN-22 Merits and Justice. Such a decision will be considered for that specific case only and will not be precedent setting.

Reference:

Workplace Health, Safety and Compensation Act, 2022, Sections 50, 82 and 108-111
Policy EN-22 Merits and Justice

Amendment History

Original Effective Date	1987 08 20
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