

Client Services Policy Manual

Policy Number: **HC-13**
Subject: **Health Care Entitlement**
Chapter: **Health Care Services**

Policy Statement

Section 85(1) of the Act states "The supervision and control of medical aid and questions as to the necessity, character and sufficiency of medical aid which is provided shall be determined by WorkplaceNL."

The purpose of this policy is to provide an explanation of key fundamental medical aid principles and the types of factors that WorkplaceNL considers when determining coverage for medical aid provisions. In addition to the matters presented under this policy, WorkplaceNL provides specific policy direction on numerous other medical aid provisions which are contained in the Health Care Services group of policies.

Although the Act refers to the term "medical aid", WorkplaceNL may also use the term "health care" to refer to medical aid services and providers, which reflects the current terminology used throughout the health care community.

WorkplaceNL recognizes that the timely provision of appropriate health care services is an integral part of the injured worker's recovery and his/her early and safe return to work.

WorkplaceNL will cover health care services to an injured worker where, in its opinion, the health care service is appropriate with respect to the worker's compensable injury, and is consistent with accepted practice within the health care community.

WorkplaceNL covers health care services rendered by health care providers whose professional services are regulated in and for the province of Newfoundland and Labrador.

Employers are responsible for ensuring that a worker obtains the necessary health care, or convey the worker to the place where adequate health care can be obtained, as soon as it is reasonably possible following an injury. Any subsequent cost to obtain health care will be the responsibility of WorkplaceNL.

General

First Medical Treatment

Employers must ensure that the worker receives the initial medical treatment from an adequate health care facility. An adequate health care facility must be one that is adequately equipped to respond to,

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treat, and/or stabilize the compensable injury and does not include an employer-based first aid station or medic.

Determining Appropriate Health Care

When determining what constitutes appropriate health care, WorkplaceNL will consider:

- i. The recommendation of the treating health care provider; and
- ii. The intended benefit of the treatment, service or device in relation to the compensable injury.

Where the intended benefit of the treatment, service or device is unclear, WorkplaceNL may then consider, in consultation with the treating health care provider:

- i. Current scientific evidence with respect to the demonstrated effectiveness of the treatment, service or device;
- ii. The opinion of the appropriate WorkplaceNL Health Care Consultant(s); and
- iii. The professional accreditation of the licensed health care provider.

Prescribed Treatments, Devices and Accessories

WorkplaceNL will pay for treatments, devices and accessories prescribed by licensed health care providers, as long as the treatment, device or accessory, in the opinion of WorkplaceNL:

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

Maintenance of Health Care Devices

WorkplaceNL will cover the cost of repair or replacement, as appropriate, for a health care device where:

- a. The device is still necessary for the compensable condition;

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- and
- b. The need for repair or replacement is not the result of intentional mistreatment of the device.

WorkplaceNL will cover the cost for repair or replacement which is not covered by the existing warranty for the device.

Home Modifications

In the case of permanent and significant functional impact resulting from the compensable injury or condition, WorkplaceNL may cover the cost of necessary and reasonable modifications to the interior and/or exterior of the home to allow safe and independent access for the worker.

To determine the extent of necessary and reasonable modifications, WorkplaceNL shall obtain an assessment from a qualified health care provider, and/or other specialized service provider, with respect to the worker's functional limitations and abilities, as well as any safety issues associated with home access.

Vehicle Modifications

In the case of permanent and significant functional impact resulting from the compensable injury or condition, WorkplaceNL may cover the cost of vehicle modification where independent operation of, or safe transportation in, the worker's vehicle or another available vehicle (e.g. public transportation) is no longer possible. The extent of vehicle modification will be to allow:

- a. Safe and independent operation of the vehicle by the worker, or where this is not possible;
- b. Safe transportation of the worker by another vehicle operator.

WorkplaceNL shall obtain an assessment from a qualified health care provider to determine the extent of modifications required. WorkplaceNL may require that the vehicle modification service provider submit verification of proper licensing or credentials prior to authorizing the service.

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Security Interest of WorkplaceNL

Where it is appropriate to do so, WorkplaceNL may retain a security interest in a device, accessory, property or vehicle that has been provided by WorkplaceNL.

Exceptional Circumstances

In cases 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. Such a decision will be considered for that specific case only and will not be precedent setting.

Reference: Workplace Health, Safety and Compensation Act (the Act), Sections 2(1)(r), 19 and 84-88
All policies under "Health Care Services"

Amendment History

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