

Summary of Policy and Procedure Revisions – July 2020 Updates -- Bulletin-23

This Bulletin provides a summary of recent policy and procedure revisions.

Earnings Loss

Policy EL-04 Overpayments (B)

Effective May 27, 2020, the Board of Directors approved an amendment of EL-04 (B) Overpayments, given challenges with calculation and notification, during the period of working from home as a result of the COVID-19 pandemic.

As a result of the change, WorkplaceNL is not limited to 60 days to provide written notification to an injured worker or dependent, concerning the amount and cause of an overpayment.

This includes notices that should have been sent from the March 14 to December 30, 2020 period; WorkplaceNL now has until December 31, 2020 to provide written notice. However, it is important to note this extension of time to provide written notice expires on December 31, 2020, as either a new process will be established or pre-pandemic work conditions will have resumed.

Other housekeeping revisions include the following:

- An addition of the section for consideration of Merits and Justice (Policy EN-22); and
- A clarification of the effective dates.

Entitlement

Policy EN-21 Compensation Entitlement During Confinement

Effective April 1, 2020, the Board of Directors approved the following policy revisions:

- Modernized the policy language to remove the distinction of hospitalization for a work-related mental health issue, and the outdated terms “mental facility” and “jail”;
- Removed the words “compelling evidence” and “directly related to” to align with the weighing of evidence principles associated with section 60 of the Workplace Health, Safety and Compensation Act (the Act);

- Clarified wording for the suspension of benefits by replacing the word “is” with “may be” to allow the decision maker to review the individual merits and justice principles when rendering an entitlement decision in the case in incarceration;
- Added a Merits and Justice section for consideration of Policy EN-22 Merits and Justice;
- Re-organized the policy content for more clarity; and
- Updated the policy reference section.

Policy EN-22 Merits and Justice

As part of a regular policy review guided by [WorkplaceNL's Policy Framework](#), this policy was reviewed for service delivery issues, impact on daily business operations, appeal trends related to unclear or inconsistent policy interpretation and any required housekeeping changes. As a result of this review, the policy was approved with no revisions and the next policy review date is scheduled for February 1, 2025. All future policy changes will include a reference to merits and justice, to remind and encourage decision makers to always consider individual circumstances when making decisions for each case.

Health Care

Procedure 75.00 Chiropractic Care

Effective April 28, 2020, Management Committee approved a revision. The procedure now clarifies that a chiropractic consultant review, is required in the approval process for supportive care requests.

General

Policy AP-01 Internal Review

Effective June 3, 2020, the policy was revised to include the following policy reference updates:

- Workplace Health, Safety and Compensation Act (the Act);
- Workplace Health, Safety and Compensation Review Division (WHSCRD); and
- Policy EN-22 Merits and Justice