

Client Services Procedure Manual

Procedure: 19.00

Subject: Essential Personal Care Coverage

19.0 Definitions

Essential Personal Care: may include daily living needs, nursing care, mobility assistance and/or supervisory care.

Essential Personal Care Fees: fees paid to professional service providers for provision of necessary personal care resulting from the impacts of a compensable injury or amounts paid to non-professional care providers to compensate for assisting workers with personal care.

Daily Living Needs: includes feeding, bathing, toileting, grooming, and laundry. This does not include general property maintenance which will not be covered by WorkplaceNL.

Nursing Care: includes bowel and bladder assistance, medication, prosthesis, dressing change, care of pressure sores.

Mobility Assistance: includes transfers from bed to chair, chair to toilet, etc., where an injured worker is confined to bed and/or a wheelchair.

Supervisory Care: care provided when an injured worker needs supervision to ensure his/her safety – e.g., head injury where worker is disoriented.

19.1 General

In cases of significant functional limitation due to a work injury, WorkplaceNL will pay for assistance in providing essential personal care which the injured worker is unable to perform. WorkplaceNL differentiates between professional care providers (fee for service), and non-professional care providers (family member, neighbor, etc.).

Essential personal care will be covered for either short-term disability or on a permanent basis. The decision maker will determine as early as possible the need for essential personal care. Requirements for essential long term care may be determined through a home assessment by an appropriate health care professional. In the case of essential short-term care such as post-operative recovery, an assessment may not be required. The decision maker will discuss the worker's essential personal care needs as early as possible prior to or after the worker's surgery to ensure that the essential personal care will be available to the worker upon hospital discharge. The decision maker will consult with the appropriate WorkplaceNL Health Care Consultant, if required.

Decisions with respect to entitlement, necessity and amount of essential long-term personal care will be made by the Case Manager, in consultation with WorkplaceNL's Occupational Therapy Consultant and/or other appropriate Health Care Consultant/Providers depending on the individual circumstance.

Application of the essential personal care procedure requires consideration based on a complete understanding of the worker's circumstances (physical limitations, support available, home environment, rehabilitative aids available, etc.).

19.2 Essential Personal Care Providers

Depending on the needs of the worker, required essential personal care may be appropriately delivered by a professional service provider, friend or family member. Wherever appropriate (e.g., where the worker's care requirements allow), provision of essential personal care by an appropriate professional will be investigated prior to authorization of essential personal care provided by non-professional care givers.

In deciding the appropriate type of care (professional or non-professional), WorkplaceNL will take into consideration the individual circumstances of the case, the duration of the necessary care, and the extent and cost of training required. However, where the requirement for essential personal care is short term in nature and a non-professional care provider would require training, WorkplaceNL will cover professional care services to ensure the timeliness of those services to the worker.

Professional Care Providers

Where professional care is required, WorkplaceNL will pay the actual costs of approved care directly to the service provider, within the limits of any relevant service provision agreements in effect at the time.

Non-professional Care Providers

Where a family member, friend or other non-professional care giver is required and approved to provide essential personal care to the worker, the care provider will be awarded an amount equivalent to the number of hours required to meet the worker's documented needs, in accordance with Provincial Government Home Support Worker rates for self-managed care.

WorkplaceNL will cover the cost of any training required to enable the non-professional care giver to provide appropriate care to the worker. The individual must demonstrate completion of the required training in order to be considered as an appropriate care provider by WorkplaceNL.

For non-professional care, WorkplaceNL will provide the care provider and/or worker with guidelines to follow. The care provider, including family members, friends or other non-

professional care providers, will generally be required to obtain optional personal coverage under the Workplace Health, Safety and Compensation Act, 2022 prior to commencing the training and/or care, and WorkplaceNL will cover the cost. Coverage purchased must be equal to the anticipated annual personal care payment that will be made to the care provider and must be in place before WorkplaceNL provides a purchase order for personal care.

19.3 Essential Personal Care Coverage Review

Where a need is identified, WorkplaceNL may review the worker's essential personal care requirements at any time. In all cases of long term coverage, the continuing needs of the worker will be reviewed at least annually.

19.4 Merits and Justice

If this procedure cannot be applied, or would result in an unfair result, the individual circumstances of a case may be considered as outlined by Policy EN-22 Merits and Justice. While decision making must be consistent, decision makers can deal with an exceptional case based on its own merit. As a result, such decisions relate to those specific circumstances and are not considered precedent-setting.

Reference: Workplace Health, Safety and Compensation Act, 2022, Sections 2(1), 95-99
Policy HC-06 Essential Personal Care Coverage
Policy EN-22 Merits and Justice

Amendment History

Original Effective Date	1998 12 18
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