

Client Services Procedure Manual

Procedure: 59.00

Subject: Home Modifications for Workers with Injuries with Significant Functional Impacts

59.00 General

This procedure provides details of coverage for home modifications for injured workers whose compensable injury has had a significant impact on their functional abilities.

Significant functional impact is defined as a major impact or impediment to the worker's ability to perform regular daily functions of independent living as a result of a serious work related injury (e.g., head injury or spinal cord injury). The regular daily functions impacted must involve the worker's ability to safely and independently access the home, or the home community and beyond, and impact the ability to perform essential activities of daily living.

A problem associated with a significant functional impact, as a result of a compensable injury, may be identified by one or more of the following:

- i. Worker;
- ii. Case Manager/decision maker;
- iii. Physician;
- iv. Home Care Provider;
- v. Hospital;
- vi. Health Care Provider;
- vii. Medical Consultant, or
- viii. Occupational Therapy Consultant.

The decision maker will determine the need for a home assessment through the potential consultation with one of the health care consultants. Through a review of the medical information and the compensable injury, this may or may not require the need for a home assessment.

In determining whether a home assessment will be necessary several factors will need to be considered:

- i. medical evidence indicates that the work injury is causing a significant functional impact;
- ii. modification/assessments are deemed necessary as a result of the compensable injury;
- iii. post-operative information and/or the previous involvement of an occupational therapist in a hospital setting, provides insufficient and/or unclear information regarding equipment and/or home modifications needs, in relation to the compensable injury.

If it is determined that either the injury does not meet the criteria for injuries with significant functional impact or the significant functional impacts are not compensable, the worker will be advised by the decision maker in writing re: same and no further action is required.

If occupational therapy hospital discharge reports and/or post-operative information is sufficiently detailed for WorkplaceNL to make a decision regarding equipment and/or home modification needs, a home assessment is not necessary.

If a decision cannot be made, consultation with the Occupational Therapy Consultant will occur.

59.01 Home Modifications

59.1.1 Definitions

Home modifications are defined as significant structural changes to a residence or dwelling that are not temporary in nature and cannot be readily undone, including but not limited to widened doorways, lowered counter tops and fixtures.

Different levels of home modifications are recognized in relation to this procedure, as per the attached Appendix A.

Home modifications are distinguished from **safety equipment** that is installed/provided to a worker to enhance safe utilization of the home, such as raised toilet seats, bath chairs/transfer benches, lift chairs, reachers, sock-aids, dressing aids, “Obus” cushions, temporary wheelchairs, canes, walkers, bathing aids, and toileting aids.

In instances where the provision/installation of safety equipment is all that is warranted in relation to the compensable injury, refer to procedure 58.00 “Health Care Devices and Supplies, section 58.14 for details regarding coverage of this safety equipment.

59.1.2 Home Modifications

The cost of home modifications are covered by WorkplaceNL where a worker, owing to the effects of a permanent and significant work injury, experiences permanent access barriers within his or her home, and is typically contemplated where a work injury necessitates the use of a wheelchair or other adaptive mobility aids, in the home on a regular basis.

The decision maker will determine the necessary assistance required to ensure a reasonable barrier-free dwelling to allow the worker safe, reasonable access and mobility within the home. Wherever possible, home modifications will take into account reasonably anticipated changes in the worker’s condition at the time of the original modifications; therefore, such assistance is approved on a one-time only basis. The decision maker will involve the Medical Consultant if there is evidence that there may be deterioration in the future due to the compensable condition.

59.1.3 Referrals for Home Assessments for Addressing needs Associated with Significant Functional Impacts

1. A referral will be made to the home assessment preferred service provider (See Appendix A for current service provider list), by the decision maker, to identify/evaluate the needs of the injured worker. The decision maker may request that the OT Consultant discuss the claim with the home assessment provider. The decision maker will determine, based on the home assessment report, whether to proceed with the recommendations without further review. This would typically involve Level 1 modifications (See Appendix B for details on modification levels).

2. If it is determined by the decision maker to be appropriate, a meeting will be set up by the decision maker to review the identified needs. This meeting may involve the following:

- i. Decision maker;
- ii. Occupational Therapy Provider/Report;
- iii. Occupational Therapy Consultant;
- iv. Medical Consultant, and/or
- v. Compensation Services Manager or Regional Director.

The decision maker may request further meetings if additional information is required following review of the home assessment.

Recommendations will be reviewed on the basis of:

- i. Compensability;
- ii. Medical effectiveness/necessitated by the injury, and
- iii. Cost effectiveness.

Other non-compensable issues will also be identified (if applicable) but will be clearly identified as non-compensable. Other recommendations and/or modifications associated with the non-compensable issues will be clearly identified before any decision is made on the recommendations.

59.1.4 Analysis of Options

a) Worker Owns or has a Mortgage on a Home at Time of Injury

The options for home modification are considered in the following hierarchical sequence:

Option 1 - Modification to Primary Residence

The first option to be considered is coverage for the cost of appropriate modifications to the worker's primary residence which are required to allow the worker safe, reasonable access and mobility within the home.

Option 2 - Move to Alternate, Accessible Residence

Wherever the cost of modifying the worker's home is higher than would normally be expected, given the age, repair or design of the home, a cost/benefit analysis based on purchasing the most appropriate, alternate, accessible dwelling available will be considered.

In determining the overall appropriateness of a dwelling, WorkplaceNL will consider factors including but not limited to the needs of the injured worker defined through the home assessment, the size of the home, age of the home, general features and general location of the home. WorkplaceNL will require a market search by a real estate agent, of WorkplaceNL's choosing, of appropriate, accessible homes.

Option 3 - Modification to Alternate Residence

Where an alternate, accessible home is not available, the real estate agent will conduct a market search for homes with potential for modification. Where it appears that an existing dwelling can be

modified, WorkplaceNL may require a home inspection to assist in determining the feasibility of modifications.

Option 4 - Construction of Accessible Residence

In certain situations it may be necessary to consider the option of constructing a reasonably barrier free home.

Where WorkplaceNL determines that the purchase or construction of an alternate dwelling is the most reasonable option, the worker must contribute an amount equivalent to the present fair market value of their home. In these cases, WorkplaceNL will be responsible for real estate, legal, property appraisal and relocation costs. Such costs will also be considered in the cost/benefit analysis of that option.

WorkplaceNL acknowledges that the most cost effective option may not always be the most appropriate. An option with a 10% differential including all costs associated with that option is considered reasonable. The worker will be given discretion to select either option WorkplaceNL considers reasonable. The worker will not be responsible for the excess cost in these circumstances.

b) Worker Rents at Time of Injury

Where the worker rents accommodations at the time of the injury, the following options will be considered with regard to ability to meet the worker's specific needs and respective costs and benefits:

1. Renovate the worker's current rental unit, only on written agreement with landlord and worker.

The worker must provide a copy of the lease with the building's owner before any modifications to a rental property will be undertaken.

Modifications to a rental property are undertaken on a one-time only basis and contain certain inherent risks to the worker (e.g., landlord sells or evicts worker after modifications are complete), which must be made clear to the worker and reflected in a signed agreement with the worker before modifications will be undertaken.

In any case, WorkplaceNL must be satisfied that modifying a rental property is in the best interest of the worker, based on factors including but not limited to length of time in the property, relationship with the building owner and length of lease with the landlord. WorkplaceNL retains the right to withdraw the option of renovating the existing rental property from consideration based on the above noted factors.

2. Move the worker to an appropriate, accessible rental accommodation and cover cost of the move (including any lease penalties at his/her current rental) and increased rental and utility costs.

In determining the overall appropriateness of a dwelling, WorkplaceNL will consider such factors as, the needs of the injured worker defined through the home assessment, the size of the accommodation, age of the rental accommodation, general features and general location of the accommodation. WorkplaceNL will require a market search by a real estate agent, of WorkplaceNL's choosing, of appropriate, accessible accommodations.

If the worker wishes to pursue an option identified as meeting his/her needs, but not the most appropriate identified by WorkplaceNL, WorkplaceNL may elect to contribute an amount equal to the assistance they would otherwise have incurred to allow the worker to pursue the option of his/her choice.

Where additional costs are related to the worker's personal choices beyond what is required to provide an appropriate, accessible dwelling, the costs will be the responsibility of the worker.

59.1.5 Formulation of Recommendations

If a home modifications of any level (see Appendix B for details) is to be completed:

1. The worker must provide proof of home ownership (i.e. deed or other document as determined appropriate by WorkplaceNL's legal counsel) and replacement insurance coverage (copy of home owner's policy document);
2. The decision maker will consider all identified options as outlined in section 59.1.4;
3. The recommendations for home modifications will be agreed upon by:
 - i. Decision maker;
 - ii. Compensation Manager/Regional Director, and
 - iii. Occupational Therapy Consultant.

This group will constitute the core Home Modifications Committee and will be associated with all home modifications claims. Other ad-hoc members of this Committee may include WorkplaceNL's purchasing administrator, project manager, worker, and/or Occupational Therapy provider.

4. The worker will be informed by the decision maker of the recommendations identified in the OT Home Assessment report, in relation to the compensable injury. A copy of the home assessment report can be provided to the worker at this time upon the worker's request.
5. Additional costs associated with recommendations made for non-compensable issues will not be the responsibility of WorkplaceNL. If applicable, any recommendations which are as a result of non-compensable issues will be documented in the home assessment report and communicated to the worker in the event that they wish to proceed with these recommendations at their own costs.
6. If the worker wishes to pursue the home modifications, a review of the feasibility and cost effectiveness, based on the existing building structure, will be conducted by:
 - (i) An approved Project Manager (may not be required in a level I modification), and
 - (ii) WorkplaceNL's purchasing administrator
7. A decision letter outlining general approval of process for renovations (beyond level I-See Appendix B) will be submitted to the worker (See Appendix C for decision letter template)

59.1.6 Identifying the Scope of Work

1. An approved Project Manager will be consulted by the decision maker, to identify:
 - i. The feasibility of the project,
 - ii. the most cost effective option and,
 - iii. the cost of any non-compensable recommendations as agreed upon in Section 59.1.3. (6).
2. Consultation with the OT provider who performed the home assessment, will be made by the Project Manager, to ensure that all the necessary, compensable and medical recommendations, as identified in 59.1.3 (2), are included in the feasibility of the project.
3. Plans for renovations/scope of work, will be developed by the Project Manager, for presentation to the Home Modifications Committee and OT Provider, WorkplaceNL's purchasing administrator.

Once agreed upon by the above named group, the Project Manager will finalize the plan and meet with the worker and the decision maker to review the plan.

Consideration will be given by the Project Manager, to the hierarchical sequence as defined in Section 59.1.5. Consideration by the Home Modifications Committee will be given to Section 59.1.6, when making a final approval for plans for renovation/scope of work.

4. A contract will be drawn by WorkplaceNL's legal counsel and will be signed by the worker and WorkplaceNL. This contract will outline the final plans for the renovations and a detail scope of work.
5. The decision maker presents the recommendation of the Home Modifications Committee to the appropriate approval level in accordance with policy AD – 05 "Approval Levels for Payment of Invoices."
6. The Project Manager will identify, based on a WorkplaceNL approved list of Contractors, or a WorkplaceNL approved list provided by the Project Manager, a suitable and appropriate contractor for the renovations/scope of work identified by the Home Assessment Committee stated in Section 59.1.4 (3).
7. The Project Manager will monitor, supervise and ensure that the identified scope of work, according to Section 59.1.4 (3) and agreed upon by the Home Assessment Committee is completed. Regular reporting, as appropriate, will be provided to the decision maker.
8. Any changes to the scope of work must be approved by the Home Modifications Committee prior to any changes being implemented. The Project Manager will not make any decisions around entitlement and the decision maker will ensure that this process is clear with the Project Manager and the injured worker prior to any implementation of the scope of work.

59.1.7 Ownership/Maintenance to Modifications and Equipment (for workers who are renting or property owners)

An injured worker owns all structural modifications made to, and equipment installed in, his/her home and is responsible for the maintenance and repair of structural modifications provided pursuant to this procedure. This would include all indoor and outdoor finishing work (for example painting, staining, plastering, flooring and, plumbing and light fixtures that have been properly installed) that would be considered normal wear and tear. An injured worker is also responsible for the cost of moving any installed equipment to a subsequent dwelling, except where the move was directly necessitated by a change in the compensable condition.

WorkplaceNL, however, does cover the cost of preventative service, maintenance and repair of equipment (e.g. lifts, ramps which have been damaged due to adverse weather conditions or poor construction, indoor and outdoor elevators), within the provisions of procedure 58.00 Health Care Devices and Supplies section 58.9. Replacement schedule guidelines will be considered by WorkplaceNL when making decisions regarding the repair and replacement of equipment.

Home modifications are provided on a one-time only basis. Loss of access to the modified dwelling for reasons unrelated to a change in the compensable condition (e.g. divorce, separation, move) is not the responsibility of WorkplaceNL.

59.1.8 Home Modification Agreements

Agreements that WorkplaceNL deems necessary will be required to be signed by the appropriate parties before proceeding with any renovations beyond Level I. These agreements will outline the details of the plan and the responsibilities of each party.

59.1.9 Home Modification Inspections

After all work is completed, WorkplaceNL requires that the OT provider and Project Manager visit the property to ensure that all of the identified needs have been met and that the work is satisfactory to WorkplaceNL. Periodic inspections by both above named parties will be expected throughout the renovations, depending on the complexity of the work and the agreed upon plan, and will be integrated in the cost of the project. An amount equal to no less than 10% of the value of the selected bid will be held back by WorkplaceNL, pending satisfactory completion of the work as determined by WorkplaceNL.

The worker has responsibility to raise issues of quality and workmanship to the Project Manager and the decision maker, as owner of the modifications supplied.

59.2 Exceptional Circumstances

In cases where the individual circumstances of a case are such that the provisions of this procedure 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, 2022, Sections 2(1), 95-99*
Policies: HC-13 Health Care Entitlement
AD-05 Approval Levels for Payment of Invoices
Procedure 250.00 Purchasing

Amendment History

<i>Original Effective Date</i>	2004 01 01
<i>Revision #1</i>	2006 01 24
<i>Revision #2</i>	2008 02 12

APPENDIX A

Preferred Providers of Home Assessment Services

1. Jane Simmons
Integrated Occupational Health Services Ltd.
27 Austin St.
St. John's, NL A1B 4C3
Phone #: (709) 722-9675
Fax #: (709) 722-9677
Email: jsimmons@iohs.nf.ca

Regions covered by this provider: Labrador, Western, Northern, Gander/Clareville, Burin Peninsula, and Avalon Region.

2. Glenda Dawe- Occupational Therapy Consultant
8 Ireland Dr,
Grand Falls-Winsor, NL
A2A 2T4
Phone #: (709) 489-8432
Fax #: (709) 489-2661
Email: cgdawe@nl.rogers.com

Region covered by this provider: Grand-Falls/Windsor

APPENDIX B

Levels of Modifications

Level I Modification:

This modification is described as a minor change to the home that has been identified through a Home Assessment by the OT provider, or recommended by a health care provider. This differs from the provision of a health care device as the modification of the home would affect the physical structure of the dwelling. These minor changes do not generally require a Project Manager and/or a Contractor, but will require that the Section 59.1.3 of the procedure be followed, with a decision made by the group identified in Section 59.1.3 (2) and as to who will ensure that the work gets completed in an appropriate time frame and that follow-up is completed to ensure the recommendations were followed.

Examples of this type of modification include but are not limited to:

- i.installation of grab bars;
- ii.installation of rail for stairs inside/outside the home;
- iii.removal of shower doors to install shower curtain;
- iv.installation of a shower head, or
- v.installation of stair lift, ceiling tracks, level door threshold.

This modification can typically be completed upon the approval of a specific contractor or tradesperson, with the involvement of the OT provider.

Level II Modification:

This modification requires the skill of a one or more professional (tradesperson/contractor) to carry out the modifications. It requires the development of design options, cost and benefit, code/regulation compliance. At this level, the need for a Project Manager will need to be determined by the group identified in Section 59.1.3 and should be determined before any tradesperson is hired.

Examples of this type of modification include but are not limited to:

- i.modification to structural elements (such as installation of ramps, mechanical lift system);
- ii.electrical modification (such as installation of a whirlpool bath, wheelchair accessible oven);
- iii.mechanical modification (installation of any new equipment which requires mechanical
- iv.operation), or
- v.modifications to the plumbing (such as installation of shower stall, higher toilet, wheelchair accessible kitchen or bathroom sink).

Level III Modification:

This modification requires the skill of one or more professionals (tradesperson/contractor) to complete the modification. It requires the more stringent code/regulation compliance and/or involves more than one room in the home to be modified. Additionally, a Project Manager is required to be involved at this level (as per Section 59.1.4) to ensure that ongoing monitoring and supervision of the scope of work

identified in Section 59.1.4, is completed on time and budget. Any unforeseen complications are brought back and addressed by the group in Section 59.1.4.

Examples of this type of modification include but are not limited to:

- i. Modifications to existing layouts, involving demolition and new construction (such as modifications to a kitchen, porch, bathroom, bedroom for wheelchair accessibility);
- ii. additions to existing buildings;
- iii. installation of new plumbing fixtures, or
- iv. installation of ramps, decks, and/or modification to entrances to homes.

Level IV Modification:

This modification requires the skill of one of more professionals, in addition to a Project Manager (as per Section 59.1.4), with ongoing interaction with internal resources on an ongoing basis as per Section 59.1.4.

Modification of this type include:

- i. construction of a new barrier free home, or
- ii. modifications to more than 50% of the existing home, involving modification to the existing layout, demolition and new construction; may also include an addition to the existing home.

APPENDIX C

**Template for decision letter as per Section 59-1-5
Decision letter for Home Owner or Mortgage Holder**

Date:

Name:

Dear:

This letter is regarding the process for home modifications as a result of the significant functional restrictions imposed due to your compensable -----injury.

Since you own your own home or have an equity interest in your home, there are various options which will be considered to determine the most appropriate option to ensure reasonable barrier- free access and mobility within your home. Proof of ownership (i.e. deed, replacement insurance document, mortgage) must be provided to WorkplaceNL to verify that you do indeed own or have equity in your home and have the authority to sanction any modifications which are necessary.

Procedure 59.00, Home Modifications for Workers with Significant Functional Impacts, outlines the following options for you which are to be considered in hierarchical sequence:

Option 1:

Option 2:

Option 3:

Option 4:

Once the recommendations for Home Modifications specific to your work-related injury are agreed upon by the Home Modifications Committee, you will be advised of this by your Case Manager. Any costs associated issues not related to your compensable injury will not be the responsibility of WorkplaceNL. Should you wish to pursue the recommended Home Modifications, a Scope Of Work will be completed by an approved Project Manager to determine the most feasible and suitable option in relation to your physical needs and suitability of your home to be modified.

Upon completion, the Scope of Work will be presented to the Home Modifications Committee by the Project Manager. Should the plan outlined be approved by the Home Modifications Committee, a meeting will occur between you, your Case manager and the Project Manager to review the plan in detail. If all parties are in agreement with the proposed plan, a contract will be drawn by legal counsel at WorkplaceNL, outlining the final plans and detailed Scope of Work.

At this point, the Project Manager will identify an appropriate contractor to complete the Scope of Work. Should there be any changes to this Scope of Work, such changes will need to be reviewed with the Home Modifications Committee for approval.

Decision letter for rental

Date:

Name:

Dear:

This letter is regarding the process for home modifications as a result of the significant functional restrictions imposed due to your compensable -----injury. As you are currently renting, there are two options which will be considered to determine which is most appropriate to ensure reasonable barrier- free access and mobility for you within your dwelling.

Procedure 59.1.4, Analysis of Options, indicates that the following options will be considered with regard to ability to meet your specific functional needs, and respective costs and benefits:

Option 1:

Option 2:

Once the recommendations for modifications specific to your work-related injury are agreed upon by the Home Modifications Committee, you will be advised of this by your Case Manager. Any costs associated issues not related to your compensable injury will not be the responsibility of WorkplaceNL. Should you wish to pursue the recommended renovations to your rental unit, a Scope Of Work will be completed by an approved Project Manager to determine the most feasible and suitable option in relation to your physical needs and suitability of your home to be modified.

Upon completion, the Scope of Work will be presented to the Home Modifications Committee by the Project Manager. Should the plan outlined be approved by the Home Modifications Committee, a meeting will occur between you, your Case manager and the Project Manager to review the plan in detail. As noted, any renovations to a rental property will only be considered if there is a written agreement between you and your landlord. In addition, there must be a signed agreement between you and the WorkplaceNL which acknowledges that you are aware that any such renovations to a rental will be on a one-time only basis. If all parties are in agreement with the proposed plan, a contract will be drawn by legal counsel at WorkplaceNL, outlining the final plans and detailed Scope of Work.

At this point, the Project Manager will identify an appropriate contractor to complete the Scope of Work. Should there be any changes to this Scope of Work, such changes will need to be reviewed with the Home Modifications Committee for approval.

APPENDIX D

Issuing Purchase Orders and Making Referrals Pertaining to this Procedure

All assessments of the home environment as per Procedure 59.00 will be issued under the sub category: **Special Services**, sub-sub code, **Home Assessment- 293 461**.

Any follow up services associated with this home assessment such as:

- communicating with, but not limited to, the contractor, WorkplaceNL, the injured worker, and/or the OT Consultant
- implementing and/or participating in the implementation of the recommendations associated with the home assessment
- re-visiting the home environment to ensure proper use of equipment and /or changes to the home are well understood by the worker
- any other follow-up service deemed necessary at the discretion of the decision maker

will require a purchase order under the sub-sub code, **Home Assessment Follow-up-293 463**.

Any other expenses such as:

- meals/per diems;
- mileage;
- professional time-billed at \$75/hour-for travel to and from, for distances greater than 50km.
- airline travel, and
- accommodations,

will require a purchase order under the sub-sub code, **Home Assessment-Travel-293 462**.

All PO's should be issue **prior** to any of the services provided.