

Client Services Policy Manual

Policy Number: **EN-07**
Subject: **Chronic Pain**
Chapter: **Entitlement**

Definition

For the purposes of this policy, chronic pain and chronic pain disability are defined as:

Chronic pain is pain whose characteristics are compatible with a compensable injury except that it persists for six or more months beyond the usual healing time for the injury. Chronic pain disability is the term used to describe the condition of a person whose chronic pain has resulted in marked life disruption.

Where the chronic pain arises predominately from psychological sources (other than the psychiatric diagnoses of post-traumatic stress disorder or conversion disorder) or undetected organic sources, the pain will be considered for compensation purposes under this chronic pain disability policy. However, not all persistent pain is dealt with by this policy. Where the pain is attributable predominantly to an organic cause or to a psychiatric condition of post-traumatic stress disorder or conversion disorder, the worker will be compensated pursuant to WorkplaceNL's policy on that organic or psychiatric condition.

Policy Statement

WorkplaceNL may accept entitlement for chronic pain disability when it results from a work related injury and there is sufficient credible subjective and objective evidence establishing the disability.

General

1. For a worker to qualify for compensation for chronic pain disability a work related injury must have occurred and a claim for compensation for the injury submitted and accepted.
2. WorkplaceNL recognizes the consequences of chronic pain and the chronic pain syndrome and encourages any necessary intervention to be given early in the course of treatment of the physical injury. If the condition interferes with the worker's vocational rehabilitation, appropriate care will be encouraged.
3. In rating any permanent functional impairment, once the injured worker has reached maximum medical recovery and has had adequate chronic pain intervention, the continued pain may, along with other symptoms that the injured worker states exist, be considered in addition to the signs of impairment that are found.

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4. When the injured worker cannot return to his/her regular work and cannot avail of appropriate vocational programs, WorkplaceNL may consider chronic pain in determining suitable employment and earnings. If the evidence suggests that an injured worker could possibly be more active than he or she is, but because of the chronic pain has increased limitations, these may be judged proportionately and may result in a decrease in what WorkplaceNL would consider the injured worker capable of earning.

Reference: *Workplace Health, Safety and Compensation Act, 2022, Sections 2(1)(v), 20, 82, 83, 95, 96 and 99*

Amendment History

<i>Original Effective Date</i>	1991 08 13
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