



This factsheet has been prepared for general information purposes. It is not a legal document. Please refer to the *Workers Compensation Act* and the *Rehabilitation Services and Claims Manual, Volumes I and II* for purposes of interpretation and application of the law.

Factsheet #15
Updated: January 2013

ARTHRITIS AND HEART CONDITIONS

Please read the Factsheet called *Introduction to Occupational Diseases* for basic information about workers' compensation claims for occupational diseases.

Arthritis

Can I get workers' compensation for arthritis?

WorkSafeBC does not generally accept osteoarthritic degeneration (arthritis) either as the **immediate** result of an injury or as an **occupational disease**. It is considered part of the aging process. However, you may be able to get compensation if a personal injury or incident at work has "activated" or "aggravated" arthritis, which would otherwise not have been a problem for months or years.

For example, if several years ago you had a WorkSafeBC claim for a knee injury and your doctor now says that you have arthritis in the knee because of the injury, you can claim the arthritis as part of the claim. You will need a supportive letter from your doctor or specialist linking your arthritis to the work injury or incident.

Another example could be if you had a knee injury years ago that did not occur at work. Your knee has never bothered you since that injury, but then you re-injure the same knee at work. The medical evidence shows you have arthritis. You do not fully recover, and your doctor(s) say that the work injury made the arthritis act up when otherwise it may not have bothered you for years.

In such a case, you can claim for an **aggravation** of the arthritis, but not for the arthritis itself. You will need a supportive opinion from your doctor or specialist showing that your work injury or incident made the arthritis worse or painful before its time. In other words, if you could have gone for months or years with no problem if it were not for the work injury or activity, you can make a WorkSafeBC claim.

Rarely, WorkSafeBC may accept a claim for arthritis as a direct result of prolonged job duties. For example, WorkSafeBC accepted a claim from a physiotherapist who suffered from osteoarthritis in both thumbs **due to the nature of the work** without a specific injury. If your case is similar, it may be accepted.

For more information:
Website: www.labour.gov.bc.ca/wab



Lower Mainland/Fraser Valley/Kootenays: 1-800-663-4261
Northern & Central Interior: 1-800-663-6695
Vancouver Island: 1-800-661-4066

ARTHRITIS AND HEART CONDITIONS

Heart Conditions

Can I get workers' compensation for a heart condition?

In most situations, a heart attack is treated as a personal injury, not as an occupational disease. This means you must show that the heart attack occurred when it did because of your work.

The sole exception to this is for firefighters who experience a heart attack within 48 hours of actively, strenuously fighting a fire or dealing with hazardous materials. In such cases, WorkSafeBC presumes that the heart attack was work-related if the first symptoms occur within 24 hours of the firefighter leaving the scene of the emergency. WorkSafeBC may still accept the claim if the heart attack occurred within 48 hours of the time that the firefighter left the scene of the emergency.

If your heart condition relates to some other accepted WorkSafeBC claim for an injury or disease, or relates to treatment for such an injury or disease, WorkSafeBC will consider whether it can be included as part of that claim. An example of this would be if you had a heart attack while taking medication to treat your original injury, and the medication increased your risk of heart attack.

What if I disagree with a decision?

If you do not agree with WorkSafeBC decision, you have the right to request a review. You must request a review within **90 days**. If you disagree with the Review Division decision you have **30 days** to file an appeal to the Workers' Compensation Appeal Tribunal.