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Factsheet #17
Updated: January 2013

CHRONIC PAIN

What is chronic pain?

According to WorkSafeBC policy, chronic pain exists when two conditions are met:

1. The pain is still present six months after an injury or an occupational disease;
2. The pain is present beyond the usual recovery time for the injury or disease.

WorkSafeBC identifies two types of chronic pain:

1. Specific pain -- pain related to a physical or psychological cause.
2. Non-specific pain -- pain that exists without a clear medical reason.

WorkSafeBC does not normally accept pain as a psychological condition, except where it is specifically diagnosed as a Pain Disorder or where it is part of a psychological problem such as clinical depression which developed as a result of the compensable injury. In such cases, pain might be accepted as a "compensable consequence". (See Compensable Consequences Factsheet #18).

How do I make a claim for chronic pain?

You do not have to make a separate claim for chronic pain. You or your physician should tell WorkSafeBC about your pain symptoms. You might be entitled to treatment for pain, whether or not you are still receiving wage loss benefits.

If WorkSafeBC believes that you might have chronic pain symptoms, it will arrange for an assessment by a number of professionals. WorkSafeBC may ask a doctor, psychologist, or other therapist to confirm that your chronic pain is a result of a work injury.

If your pain is accepted by WorkSafeBC, the case manager will ask a physician (possibly one employed by WorkSafeBC) what treatment or rehabilitation assistance you should receive to assist in your recovery and return to work.

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

CHRONIC PAIN

Do I get any additional benefits if WorkSafeBC accepts chronic pain as part of my claim?

Yes, if WorkSafeBC concludes that you are disabled from work as a result of your chronic pain. In this case you may receive:

Health care benefits

WorkSafeBC may decide that you could benefit from treatment. It will then pay health care benefits for the necessary treatment.

Temporary wage loss benefits

WorkSafeBC may also refer you for treatment to a chronic pain management clinic. While you undergo this treatment, WorkSafeBC will usually pay temporary wage loss benefits.

Wage loss benefits are only paid as long as the condition is temporary. WorkSafeBC considers a condition to be temporary when a worker is getting treatment and there is an expectation of improvement within 12 months.

Permanent Functional Impairment Award

If you still suffer from chronic pain after treatment, WorkSafeBC will decide whether your chronic pain is a permanent disability for which you should get a Permanent Functional Impairment award.

You will only get an award for chronic pain if the chronic pain is “disproportionate” to your physical or psychological impairment. This may be the case if the pain is generalized and not limited to the area of impairment or if it is greater than expected from your physical or psychological impairment.

If you continue to suffer from chronic pain after you have recovered from your work injury, WorkSafeBC will only give you an award if the pain is greater than what would normally be expected from your particular injury.

If you are found to be entitled to a separate award for chronic pain, WorkSafeBC will give you an additional permanent functional impairment award equal to 2.5 percent of total disability. If your chronic pain affects more than one independently functioning body part, you may get several chronic pain awards, each at 2.5 percent. However, even though the functional award for chronic pain is limited to 2.5%, it is possible that the effect of extreme pain may be recognized in a loss of earnings award (see Permanent Disability Awards, Fact Sheet # 24).

CHRONIC PAIN

What can I do if WorkSafeBC refuses my claim for chronic pain?

You may request a review of a decision about chronic pain. Decisions you might want to have reviewed include:

- refusal to accept that your chronic pain is related to your work injury;
- refusal to accept that you suffer from chronic pain as defined by WorkSafeBC;
- denial that your chronic pain is temporarily disabling;
- denial that your chronic pain is a permanent disability; or
- denial that you are entitled to an award of 2.5 percent.

You need clear and strong support from your doctor that your chronic pain is real (genuine), related to your work injury, has been with you at least 6 months, and is greater than expected given the nature of the injury.

If WorkSafeBC denies that your chronic pain is a permanent disability and more serious than what would normally be expected with your injury, you could:

- provide your own statement about the nature and extent of your pain;
- show that your pain usually affects your work; and
- show you have tried treatment (especially for chronic pain syndrome or pain disorder) and it has not helped.

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.

If you have questions, please contact the Workers' Advisers Office. For more about Reviews and Appeals or other WorkSafeBC benefits please see our Factsheets available from the Workers' Advisers Office or on our website at www.labour.gov.bc.ca/wab.