

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.

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## COMPENSABLE CONSEQUENCES OF WORK-RELATED INJURIES AND DISEASES

After WorkSafeBC accepts a worker's claim, questions sometimes arise regarding what consequences of the worker's injury or disease should also be covered.

For example, a worker with a chronically painful condition may develop a psychological condition such as depression. In another case, surgery for a knee injury may go wrong, and make the knee worse.

When considering these kinds of situations, WorkSafeBC should take a broad, common sense approach, and ask if the worker's original injury or condition was a significant cause of the second injury or condition. Generally speaking, if the injury or disease was a "significant cause" of a further injury, disease, disablement, or death, then these consequences are compensable as well.

### What does "significant cause" mean?

Medical conditions often have multiple causes. The original injury or disease does not have to be the only cause, or even the most important cause. So long as the original injury or disease was a more than trivial factor in causing the further injury, disease, disablement, or death, then these consequences should be compensable.

### What about further disability caused by medical treatment?

Generally speaking, if a worker receives medical treatment for an accepted injury or condition, and the treatment is a significant cause of further medical problems, then those consequences should be accepted on the claim.

Also, while a worker is attending a doctor's office, hospital, or other place of treatment, the Board considers that place similar to a workplace. If the worker suffers any injuries or other medical problems, these may also be compensable, even if they are not the result of the actual treatment. For example, if you slipped on the floor of a hospital and broke your ankle, this would be compensable.

## COMPENSABLE CONSEQUENCES

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However, not all consequences will be covered. If a worker's condition has stabilized, and they practice a preventative home-based exercise program, they will not be covered for medical problems that may result from that program.

### **What about other claim-related travel?**

Injuries that occur during routine travel for medical appointments are generally not covered. Travel is generally covered when it is for an exceptional purpose, or for an examination arranged by WorkSafeBC.

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Also, if you are injured while traveling for vocational rehabilitation, that injury may be covered as part of your original claim.

### **What if a worker's condition is later aggravated by an incident that is not connected to the claim?**

If a worker's compensable condition is later aggravated by an incident that is not related to treatment or a WorkSafeBC appointment, any medical problems related to that later incident will generally not be covered. This is true even if the later incident would not have been as significant had the original injury or condition not existed.

The only exception to this is if the compensable injury or condition actually causes the other later incident. For example, if your compensable knee injury causes you to lose your balance and fall down, the fall would be covered.

### **What about a psychological condition?**

Psychological conditions can be recognized as compensable consequences just like physical conditions. If you develop a psychological condition, your doctor should note it in the reports to WorkSafeBC. For more information on psychological conditions, please see our factsheet titled "Psychological Disorders and Mental Conditions."

### **What if I disagree with a decision?**

If you disagree with a WorkSafeBC decision, you can request a review by the Review Division. You have **90 days** from the date of the decision to request the review. If you disagree with the Review Division decision, you have **30 days** to file an appeal to the Workers' Compensation Appeal Tribunal.