

Association of
Workers' Compensation Boards
of Canada



Association of Workers' Compensation Boards of Canada (AWCBC)

Understanding the Interjurisdictional Agreement

Section 9

General Cost Reimbursements Guidelines

Claim Scenario

Jake lives in MB but regularly performs work duties for his employer in MB and SK.

Accordingly, his employer is registered for WCB coverage in both MB and SK and Jake has a right of election if injured in either jurisdiction. Jake is injured in SK. When Jake returns home, he elects to claim with MB.

MB adjudicates Jake's claim and pays him benefits. Jake recovers and returns to work so his claim with MB is closed. Behind the scenes MB is requesting reimbursement from SK for Jake's claim costs. Jake is unaware of this occurring, but his employer is notified that Jake's claim costs are being transferred to its claims experience with SK.

Who Ultimately Pays?

- Section 9 is "Regular IJA"
- Regular IJA is a reimbursement of claim costs
- "Adjudicating Board" is the board to whom the worker elected to have their claim adjudicated and paid
- "Reimbursing Board" is the board in whose jurisdiction the injury occurred

Rules of Engagement

- Claim costs must exceed \$1,000
- Limited to Reimbursing Board's statutory and policy limitations
- No reimbursement is necessary if the injured worker elects with the Board that is in the same jurisdiction where the accident occurred
- Regular IJA provides a more accurate representation of interjurisdictional activity

Benefits in Kind under the Interjurisdictional Agreement on Workers' Compensation

Benefits in Kind

Section 6 of the Interjurisdictional Agreement provides for co-operation among the Boards across Canada when a worker leaves, temporarily or permanently, the jurisdiction of the Board responsible for adjudicating the worker's claim.

Objective: To ensure the provision of benefits in kind in the jurisdiction of the new place of residence.

What are Benefits in Kind?

- "Benefits in Kind" means financial assistance or services provided pursuant to the Statutory Authority of one of the jurisdictions and may include, but is not restricted to, medical treatment and related services and expenses, vocational rehabilitation services and expenses, the provision or repair of prosthetic appliances.
- In fact, this covers just about everything that is not "Cash Benefits" which are monetary compensation paid for disease, injury or death pursuant to the Statutory Authority or policy of the Adjudicating Board.

How does it work?

The Adjudicating Board sends a request to the Administering Board by referring to the contact list updated annually by the Boards.

The purpose of this request may be to:

- ✓ Obtain the contacts of service providers who can provide a specific service for the worker
- ✓ Make contact with the service providers and ensure follow-up
- ✓ Have a rehabilitation counsellor meet with the worker
- ✓ Arrange for a medical assessment
- ✓ Obtain a copy of a worker's file

Case Study – Service Providers

- The worker receives compensation from the Quebec board as a result of a work accident
- While still receiving physiotherapy for his work injury, he moved to Ontario.
- To ensure the continuation of his treatments, the Quebec board will contact the Ontario board to obtain the names of clinics providing physiotherapy services in the area where the worker resides
- The Quebec board will then contact a clinic to make arrangements for the continuation of treatments and payment

Case Study – Medical Assessment

- While receiving compensation from the Quebec board as a result of a work accident, the worker moves to Alberta
- In order to rule on certain elements of a medical nature, the Quebec board must obtain a medical assessment to determine, for example, the existence of any permanent physical or mental impairment or functional limitations
- The Quebec board will contact the Alberta board to have this board schedule an assessment in the appropriate specialty
- Once the assessment is completed by the medical evaluator, the Alberta Board forwards the report to the Quebec Board

Reimbursement

- The Board that incurs costs or fees in order to provide benefits in kind, for example, the cost of a medical assessment, is reimbursed by the Board requesting the service.
- The Administering Board shall not charge costs or fees to an Adjudicating Board for administrative services provided by the staff of the Administering Board on behalf of beneficiaries.

Alternative Assessment Procedure (AAP)

Alternative Assessment Procedure (AAP)

- Specifically for trucking and transportation firms
- Allows firms to pay premiums in the jurisdiction where a worker resides and/or usually works
- Optional (i.e. firms must elect/apply to be part of AAP)



Eligibility for AAP

The firm must be an...

Employer with a worker who works in more than one jurisdiction

Independent operator with optional coverage who works in more than one jurisdiction

...operating in one of the following industries:

Bulk liquids trucking

Dry bulk materials trucking

General/specialized freight trucking

Interurban and rural bus transportation (2015)

Land scenic and sightseeing transportation (2015)

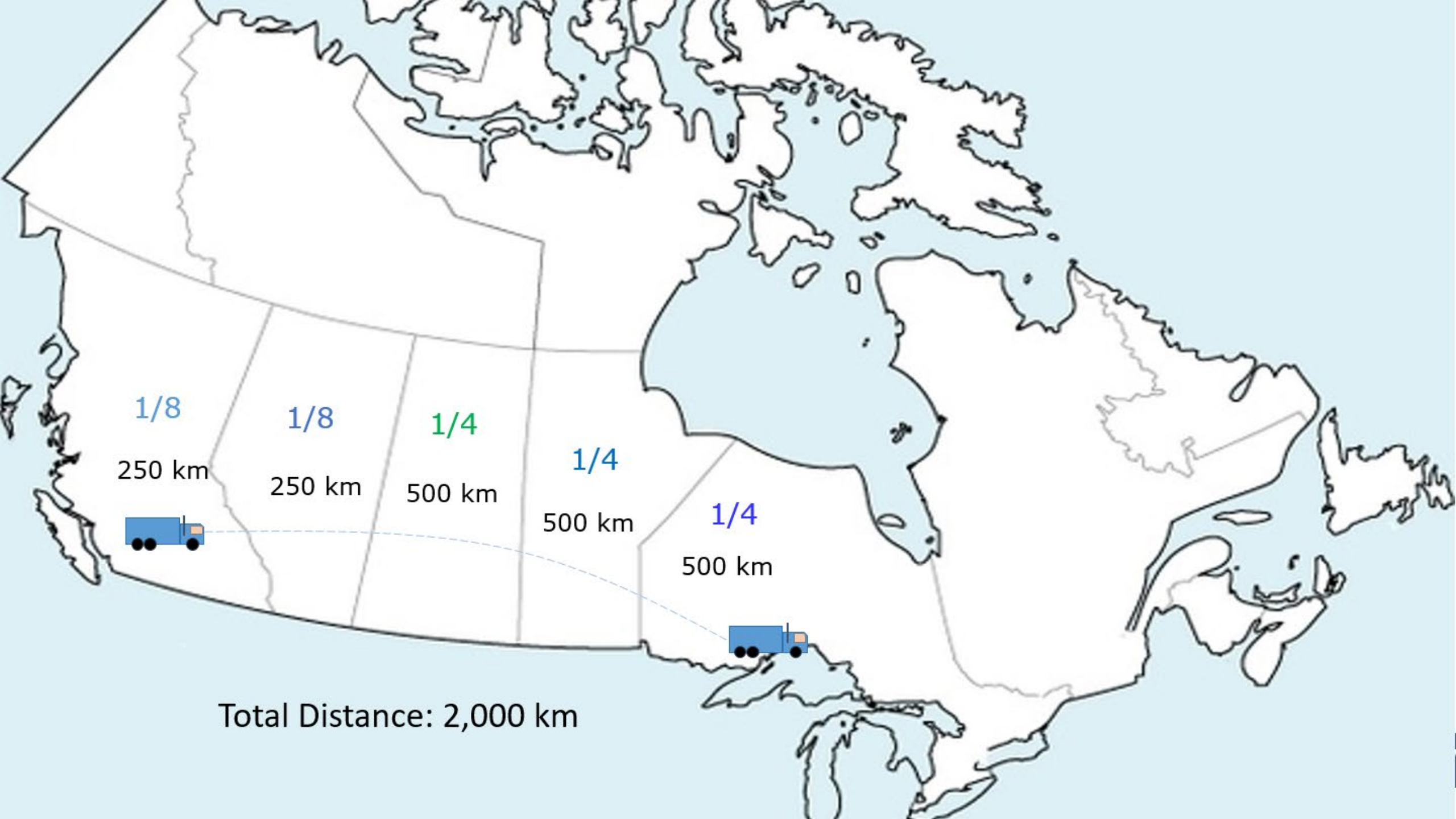
Couriers, messengers, delivery

Forest products trucking

Used household and office goods moving

Charter bus industry (2015)

Pilot cars (2017)





Assessing

Registering

Registering

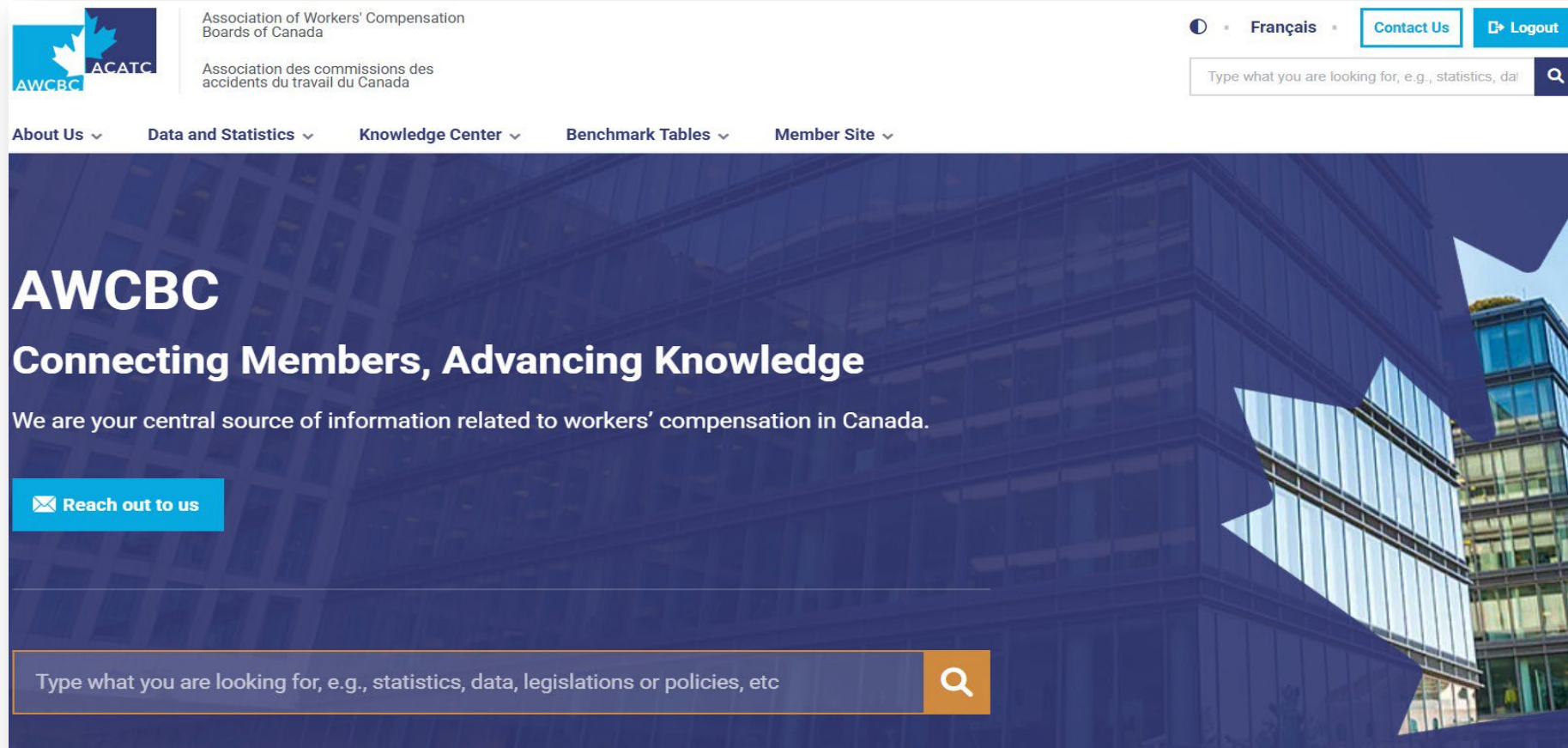
Registering

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AWCBC Website



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