

Consultation Summary

Definition of Impairment

Section 1(1)(n) of the *Workers Compensation Act*

The Workers Compensation Board (WCB) is reviewing the definition of impairment provisions in the *Workers Compensation Act* to ensure that workers are compensated fairly for the effects of workplace injury and illness.

The Workers Compensation Board provides a lump sum payment to a worker if a workplace accident results in an impairment. This lump sum compensates for the permanent loss of body function and in addition to any wage loss benefits the worker may receive.

Proposed Amendment

Section 1(1)(n) of the *Workers Compensation Act* defines impairment as:

“a medically measurable permanent anatomical loss or disfigurement and includes, amputation, loss of vision, loss of hearing, impaired nerve function, scarring causing disfigurement, joint ankylosis, or joint fusion from surgery.”

The current definition limits impairment to physical conditions, but it has not kept pace with current medical literature which recognizes impairment resulting from psychological conditions, such as Post-Traumatic Stress Disorder, and ongoing symptoms, such as chronic pain.

The WCB proposes the current definition of impairment be replaced with the following World Health Organization definition:

“any permanent loss or abnormality of psychological, physiological or anatomical structure or function”.

The WCB is seeking stakeholder feedback on the proposed changes to Section 1(1)(n) of the *Workers Compensation Act*. Please provide your feedback by December 20, 2017 online at <http://www.wcb.pe.ca/Information/LegislativeFeedback> or in writing to:

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