

Frequently Asked Questions

Psychological or Psychiatric Conditions Policy

Why is the policy changing?

The Workers Compensation Board (WCB) have been closely monitoring legislative and policy changes in other jurisdictions to assist in determining the best course of action for PEI. The WCB has reviewed and revised their policy related to psychological and psychiatric conditions, like PTSD to recognize the increased risk in occupations such as emergency responders. The changes expand current coverage to include psychological conditions resulting from cumulative effects of working in an occupation where there is increased exposure to events that, in any other occupation, would be considered to be traumatic.

Do I qualify for compensation?

A worker may be entitled to compensation benefits for a psychological or psychiatric condition if it is determined that there has been an acute reaction to a traumatic event as laid out in the policy.

What is a traumatic event?

A traumatic event refers to an unexpected and emotionally shocking event, or the cumulative effect, which is a significant or severe reaction to a series of events that in any other occupation, would be considered traumatic.

In which circumstances will a claim be covered by the WCB PEI?

The condition must be diagnosed by a psychologist or psychiatrist according to the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association and must result from one of the following:

- An acute reaction to a traumatic event;
- Organic brain damage;
- An acute reaction resulting from the use of medication, approved by the WCB to treat a compensable injury;
- An acute reaction in response to a compensable injury, disease, condition or disability;
- An acute reaction resulting from the cumulative effects of multiple work-related events.

In which circumstances will a claim not be covered by the WCB PEI?

A worker is not entitled to benefits for a psychological or psychiatric condition that results from stressors that are considered to be a part of every workplace and may be associated with necessary and unavoidable aspects of doing business, such as:

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- Usual work pressures or an employer's employment decisions or reasonable actions, for example:
 - a) Interpersonal relationships and conflicts;
 - b) Health and safety concerns;
 - c) Decisions to change work being performed;
 - d) Decisions to change working conditions;
 - e) Decisions to discipline or terminate the worker's employment; or
 - f) Routine workforce management actions made by the employer including work evaluation, performance management, transfers, lay off, demotions and reorganizations.
- Ongoing personal circumstances, regular workplace duties or workforce management.

Other provinces have passed presumptive legislation for first responders; why did PEI not do this?

While presumptive legislation is an option that some jurisdictions have chosen, the worker must still meet stringent criteria to qualify for benefits. While PEI does not have presumptive legislation, the *Workers Compensation Act* and policy provides coverage for psychological or psychiatric conditions that meet the criteria for entitlement to benefits.

The recent policy revisions have expanded coverage to include psychological conditions resulting from cumulative effects of working in an occupation where a single event may not be considered to be traumatic. The changes have also broadened the definition of what would be considered a traumatic event. While other policies and presumptive legislation focus on first responders, our policy applies to all workers.

Why is it important to include cumulative effect?

A worker may be exposed to work-related events over a period of time that, individually, may not be unexpected in the worker's occupation. The WCB recognizes that the cumulative effect of a number of events may cause an acute reaction and that this could result in a psychological or psychiatric condition. It is important that these circumstances are considered when determining entitlement to compensation.

How do I file a claim?

- First, it is important to get medical attention if required, and tell your health care provider that you feel that your symptoms are related to your work. You will need your health care provider to refer you to a Psychologist or Psychiatrist.
- Report the injury to your employer and to the WCB. Complete a Workers Report – Form 6.
- Provide the WCB with the information necessary to process your claim;
- For more information, contact the Workers Compensation Board at (902) 368-5680 or toll-free at 1-800-237-5049.
- For more information on helping resources available in Prince Edward Island, visit www.pei.cmha.ca.