

WCB Policy 44.120.30, Support for Daily Living

Administrative Guidelines

Subsection 27(1) of The Workers Compensation Act (the Act) gives the WCB the authority to provide an injured worker with "any medical aid the board considers necessary or advisable to cure or give relief to the worker or for the rehabilitation of the worker."

Expenditures related to support for daily living may be approved, provided they are in keeping with *The Workers Compensation Act* (the Act) and the general criteria outlined in Policies 44.120.30, *Support for Daily Living* (the Policy) and 44.120.10, *Medical Aid*.

The WCB will only pay for support for daily living to injured workers when their need for support arises from their workplace injury.

The type and duration of support provided is based on assessments of the injured worker's needs, and may be adjusted during recovery.

As outlined in the Policy, types of support that may be provided to an injured worker include:

- A. [Personal Care](#)
- B. [Independent Living](#)
- C. [Child Care/Other Dependent Care](#)
- D. [Home Modifications](#)
- E. [Vehicle Purchases/Modifications](#)
- F. [Clothing and Footwear](#)
- G. [Payment of Public Guardian and Trustee, or Committee Fees](#)
- H. [Exceptional Circumstances](#)

These guidelines provide additional details related to the most common supports for daily living.

Indexing of some support allowances occurs annually, effective January 1st of each year. Allowances that are indexed annually include:

- upper and lower body clothing allowance (includes footwear);
- allowances related to injured workers restricted to wheelchairs;
- housekeeping;
- laundry; and
- snow removal and lawn care, both rural and urban.

Assessing an Injured Worker's Needs

The support provided to an eligible worker is based on an assessment of their needs. Assessments of an injured worker's needs are typically completed at the worker's home by a WCB Rehabilitation Specialist. Workers are obligated to report changes in residence to the WCB so that assessments continue without interruption.

The assessment involves identifying the level of care or assistance a worker requires in relation to their compensable injury and seeks to maximize the worker's level of independence and function. The WCB will consider the purchase of adaptive appliances and tools such as walkers, raised toilet seats, bath chairs, grab bars, etc., where appropriate.

The WCB may take photos of the worker's home environment, with their consent, to provide visual context for recommended supports.

The Rehabilitation Specialist will also determine appropriate intervals for reassessment to ensure the needs of the worker are being met and adjusted in accordance with their recovery. Workers should report changes in their needs to the WCB.

Funding/Payment Arrangements

Workers must obtain prior written approval from the WCB in relation to a particular support before the WCB will cover the costs associated with it.

Once written approval is received, an injured worker may pay directly for their approved supports and submit a **Supports for Daily Living Expense Form**, along with original receipts, for reimbursement of expenses.

A worker may also ask the WCB to arrange for a service provider to direct bill the WCB. The WCB will facilitate direct bill arrangements where it is reasonable and possible to do so.

Payments for longer term supports may be in the form of a monthly allowance. In the case of personal care or independent living supports, when the required assistance is provided by family or friends, the rate of pay will be the current provincial minimum wage, up to 56 hours/week. If the assessed need exceeds 56 hours/week, the remainder of the assistance must be provided by a service provider.

A. PERSONAL CARE

A worker's compensable injury may impact their ability to care for themselves (temporarily or on a long term/permanent basis). Funding for personal care supports may include assistance with hygiene, grooming, food preparation, eating, getting dressed, and going to the washroom. Funding may also be provided for care outside of the home (groceries, medical appointments, assistance with mobility, etc.).

Such supports are often required immediately after a work-related injury, but can also be provided when there is a delay between the injury and the need for personal support.

For example, if a work-related injury results in WCB-approved surgery, the support for daily living may only be required following the surgery. Support may also be provided when a worker's condition deteriorates over time because of a work-related injury.

The WCB will generally end or reduce a worker's personal care allowance if they relocate to a personal care home or medical facility for reasons unrelated to the work-related injury. The WCB will however, fund personal care needs beyond those offered by the personal care home/medical facility if the costs are related to the compensable injury.

In some circumstances, the most appropriate care for a work-related injury may be admission to a personal care home/medical facility. In such cases, the WCB will cover the costs for the continued care of the worker at the daily provincial rate. If the worker chooses to remain in the family home when the WCB has determined that a personal care home/medical facility offers the most appropriate care, the maximum support the worker will be entitled to is equivalent to the amount that the WCB would have paid for support in the personal care home/medical facility.

B. INDEPENDENT LIVING

A work-related injury may make it difficult for the worker to perform tasks required to live safely in their home, beyond those supports that are required for personal care. For example, the worker may need assistance with activities such as lawn care, snow removal, laundry, routine housekeeping, etc.

The support provided to an eligible worker for independent living is based on an assessment of their needs.

Entitlement to allowances to pay for specific activities related to independent living is based on the injured worker's needs and actual service provider fees, but is subject to maximum monthly limits that are indexed annually.

Support for housekeeping and laundry may be provided year round, but support for lawn care is only provided between May and October. Support for snow removal is provided between November and April.

C. CHILD CARE/OTHER DEPENDANT CARE

As a result of their work-related injury, workers may incur additional expenses to care for dependent persons residing in their family home.

Medical information outlining the worker's restrictions and limitations is necessary to establish a worker's eligibility for allowances to cover the additional costs of child care/other dependant care.

Costs incurred for child/other dependant care prior to the compensable injury remain the responsibility of the worker. Additional costs for dependant care, incurred because of the work-related injury, may be covered.

Reimbursement for the costs of this care are based on actual reasonable costs. If the care is provided by family or friends, the WCB will pay compensation at current provincial minimum wage.

The WCB will extend payment for child or other dependant care for the period of time the worker remains unable to provide the required care, as supported by medical evidence and ongoing assessments, or until the child/dependant no longer requires care.

D. HOME MODIFICATIONS

The WCB may pay for modifications to the worker's primary residence as a result of their workplace injury, if such modifications are necessary to allow the worker to safely use and access the residence for the basic requirements of daily living. Such modifications are typically made to the bathroom, kitchen, laundry facilities, and the main entrances and exits to the home, although sometimes, they are made other areas of the home as well.

Such modifications may be minor (less than \$5,000), or major (more than \$5,000).

Minor modifications typically include such things as ramps, grab bars, etc.

Major modifications (i.e. home renovations) are sometimes required for the worker to remain in the

home and live independently.

The WCB will only consider renovating those parts of the residence the worker needs to access to meet basic requirements of daily living. Where approved, the WCB will pay the reasonable cost for renovations to a standard home using mid-range material. If workers wish to upgrade material (e.g. from laminate to hardwood flooring), they may do so at their own expense.

The amounts paid by the WCB depends on the nature of the modifications. Only those modifications the WCB deems necessary as a result of the compensable injury will be covered.

When a worker or their care providers advise the WCB that major modifications may be necessary to allow the worker to continue living independently in the family home, a Rehabilitation Specialist will attend the home for an assessment.

When the WCB accepts responsibility for the cost of a modification over \$5,000, the worker must provide the WCB with three written quotes from contractors. The WCB will arrange for direct payment to the vendor where it is possible to do so.

Once the modification is approved by the WCB, the terms of work (start date, hours of work, etc.) are arranged between the worker and contractor. The WCB is not responsible for managing these modification projects.

I. Funding Limitations

If something in the worker's home required repair or replacement prior to the accident, the WCB will only pay the difference between what the worker would have paid to have the repair or replacement done and what is required as a result of the compensable injury.

When a home modification that the WCB paid for requires repair or replacement because it has reached the end of its useful life through the passage of time or reasonable wear and tear, the WCB may consider repairing or replacing the item. If an item wears out more quickly because of a compensable injury (e.g. flooring because of wheel chair use), the WCB may pay a *pro rata* amount for replacement of the item based on the average useful life of that item. The WCB is not required to pay 100% of the replacement cost.

The WCB will not consider requests to repair or replace items where the need for repair or replacement arises because the worker has neglected or abused the WCB funded item or modification.

The WCB will not provide financial support to bring an existing home up to current building codes. For example, if the plumbing in a worker's home is outdated and prevents the WCB from completing a home modification, the WCB will not pay the additional costs needed to bring the plumbing to code prior to modification.

Generally speaking, the WCB will not provide funding for:

- modifications for accessing areas of the house generally considered to be non-essential, such as the basement;
- modifications to a secondary residence such as a cottage; or
- modifications to, or construction of, a garage.

Funding for these types of modifications is considered exceptional (see the Exceptional Circumstances section of these guidelines).

If the worker chooses to relocate, the WCB will consider providing funding to modify any new residence they move to on a declining scale as follows:

- first move - 66% of the modification costs medically required for the worker;
- second move - 33% of the modification costs medically required for the worker;
- third move - no further entitlement.

E. VEHICLE PURCHASE/MODIFICATIONS

When a worker sustains a permanent injury that makes driving an unmodified vehicle unsafe, the WCB may pay to modify the worker's vehicle.

When a worker's existing vehicle cannot be appropriately modified, the WCB will fund the purchase of the most cost-effective type of vehicle that can be appropriately modified.

1st vehicle

Where a worker owns a vehicle pre-injury, the WCB will fund the full amount LESS the trade-in value (if any) of the worker's existing vehicle.

Where the worker did not own a vehicle prior to their injury and has transportation needs that cannot be effectively accommodated through other available means, the WCB will fund the full amount of a vehicle it determines appropriate.

Subsequent vehicle(s)

Where the useful life of a modified vehicle has ended, the WCB will fund the full amount LESS the trade-in value (if any) of the 1st vehicle being replaced.

Given the significant cost of a vehicle purchase, the WCB may be invoiced directly for its portion of the cost.

The WCB is not responsible for vehicle maintenance or repairs.

F. CLOTHING AND FOOTWEAR

The WCB may pay for or contribute towards the costs of an injured worker's clothing or footwear when special clothing is required or regular clothing must be replaced more frequently as a result of a workplace injury. Depending on the situation, costs may be paid on a one-time basis or may be paid as an allowance.

Clothing and footwear that is damaged as a direct result of a work-related injury will be considered under Policy 44.120.10, *Medical Aid*.

Funding for short-term clothing needs may be provided on a one-time basis. For instance, a worker may require a different size of clothing in order to fit over a cast. In such cases, reimbursement is based on reasonable expenses incurred and must include original receipts.

For longer term needs, a clothing allowance may be provided. The WCB may provide a clothing allowance where, for example, there is evidence of additional wear to a worker's clothing or footwear due to wearing a prosthetic, orthotic, or from using a mobility device.

- a. If the worker has increased costs because footwear must be replaced more frequently due to the wear and tear caused by their appliance, orthotic or device, the WCB will initially reimburse the worker based on the actual additional expenses.
- b. Once it has been determined that the worker has a permanent need for the appliance, orthotic or device, an allowance may be considered. The appliance or device must be medically prescribed to assist the worker with a permanent injury and may include wheelchairs required for extended periods, fitted braces, and crutches.
- c. The allowance will continue each year until the worker no longer uses the appliance, orthotic or device.

For longer term clothing needs, the clothing allowance is reviewed annually. If the need is ongoing, payment is issued once a year.

G. PAYMENT OF PUBLIC GUARDIAN OR TRUSTEE, OR COMMITTEE FEES

The WCB may pay the fees charged to the worker by the Public Guardian and Trustee or Committee for managing the worker's affairs when the following conditions are met:

- a. The worker lacks the capacity to make financial or personal decisions due to a compensable injury or disease; and
- b. The Public Guardian and Trustee or Committee is court-appointed to manage the worker's affairs.

The WCB will pay the reasonable costs of fees associated with filing of application, initial inventory, and the passing of accounts.

H. EXCEPTIONAL CIRCUMSTANCES

The Policy provides specific guidance related to the types of support available. If a good or service does not fit within the supports outlined in the policy, it may still be considered in exceptional circumstances.

Some examples of goods or services that the WCB may consider paying for in exceptional circumstances include mobility scooters, proctor services, activity or membership fees, specialized secondary wheelchairs or prosthetics (e.g. rugby wheelchair, swimming prosthetic), labour costs for wood cutting/splitting and stacking, etc.

The above is not an exhaustive list but intended to promote some understanding of the kinds of good or services that may be requested and reviewed under this part of the policy.