



Occupational &  
Environmental Medicine

# Engaging with the WSIB / Insurance Systems - Part 1

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# Faculty/Presenter Disclosure

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  - None

# Mitigating Potential Bias



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- The information presented in this program is based on recent information that is explicitly “evidence-based”.
- This Program and its material is peer reviewed and all the recommendations involving clinical medicine are based on evidence that is accepted within the profession; and all scientific research referred to, reported, or used in this CME/CPD activity in support or justification of patient care recommendations conforms to the generally accepted standards

# Learning Objectives

By the end of this session, participants will be able to:

1. Explain what the WSIB is and how it functions
2. Describe the role of health care providers in the workers' compensation system
3. Effectively complete Form 8s and other insurance forms for your patients



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# The WSIA and the WSIB



The WSIB was established in 1914 by the Ontario government based on the work of Sir William Meredith, who was the provincial Chief Justice at the time. Meredith proposed an insurance system based on a ‘historic compromise’.

# Basis for Workers' Compensation: the **Historic Compromise**



People with work-related injuries or illnesses waived the right to sue their employers in exchange for compensation that was prompt and dependable.



Employers agreed to pay into a shared insurance fund in exchange for protection from lawsuits and a more predictable cost of doing business.



# Meredith Principles

No-fault compensation ●

Workers are compensated for workplace injuries without having to prove employer negligence, and workers give up the right to sue.

Security of benefits ●

A compensation fund assures workers of secure benefits in case of workplace injury or illness.

Independent administration ●

Costs are shared by all employers who contribute to the compensation fund. The system receives no funding from the provincial tax system.

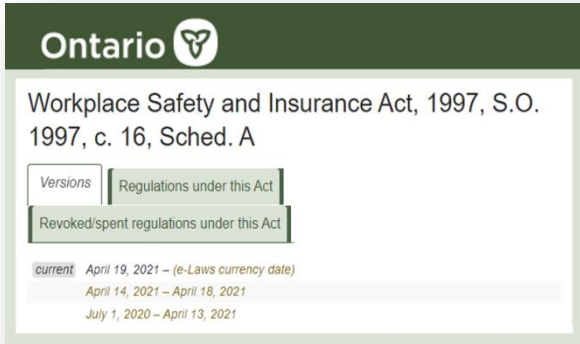
Collective liability ●

The system is administered by an independent and non-political agency – the WSIB.

Exclusive jurisdiction ●

The WSIB has the necessary powers to raise the required compensation funds and make final decisions on claims.

# Workplace Safety and Insurance Act (WSIA) Workplace Safety and Insurance Board (WSIB)



Meredith's 5 principles for workers compensation serve as the foundation of Ontario's workplace insurance law – the Workplace Safety and Insurance Act or WSIA.



Workplace Safety and Insurance Board (WSIB) is Ontario's Workers' compensation board. It is an agency of the Ontario Government. WSIB is one of the largest compensation boards in North America and is responsible for administering and enforcing the Workplace Safety and Insurance Act (WSIA).

# Role of the WSIB



1. Promote health and safety in workplaces to prevent and reduce the number of workplace injuries and occupational diseases



2. Facilitate return to work and recovery of patients who sustain personal injury or who suffer from an occupational disease



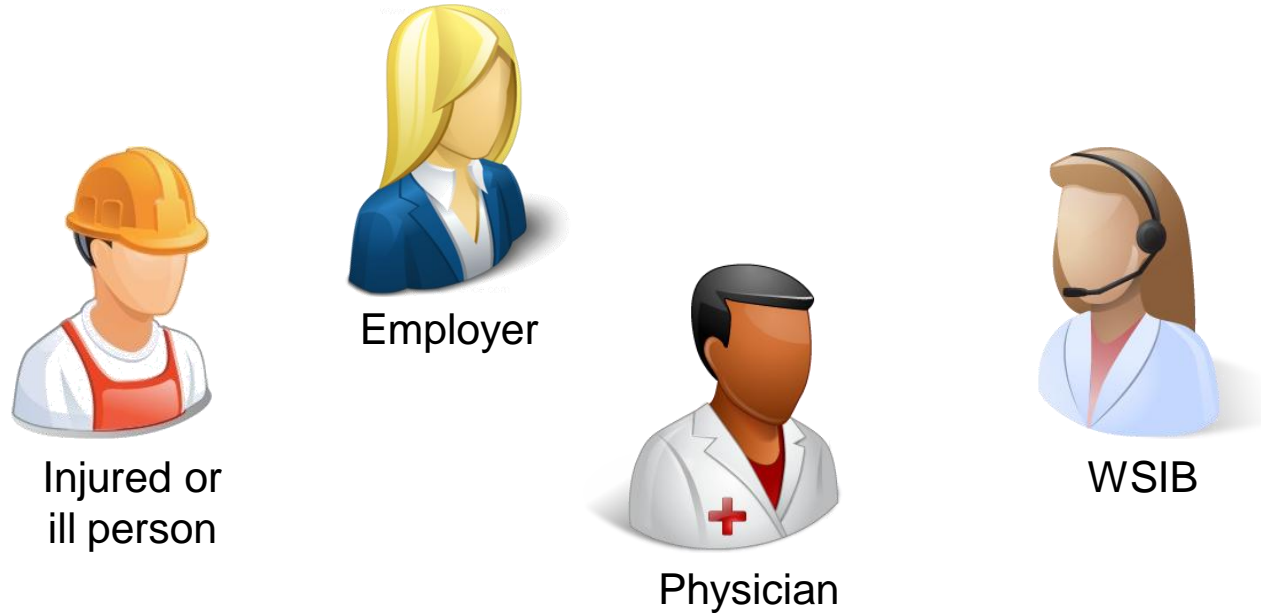
3. Facilitate work transition services for workers when required



4. Provide compensation and benefits to workers and to survivors of deceased workers

# How does the WSIB claims process work?

# Claims process



There are many people involved in the claims process. It is helpful to understand the roles of each.

# Claims process



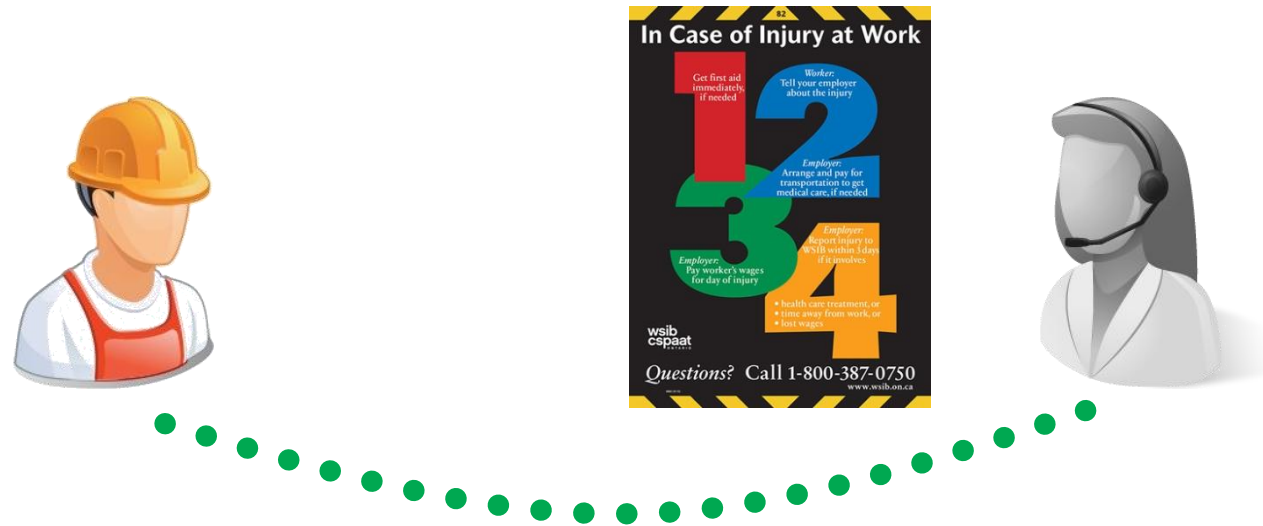
A person who suffers a work-related injury or illness should inform their employer.

# Claims process



Employers must inform the WSIB of any cases they are aware of that involve health-care treatment, lost time, lost wages, or more than seven days of modified work.

# Claims process



The person must also inform the WSIB of any changes to their situation and co-operate in their recovery and return-to-work process.



# Claims process



A physician who cares for an injured worker claiming benefits has a duty to provide information to the WSIB regarding the person's clinical condition.

# Claims process



The WSIB reviews each claim and determines the eligibility for compensation.

What are my roles and obligations  
with respect to workers  
compensation?

# Health Care Worker's Role in Workers Compensation

1. Identify and treat work-related injuries and illnesses
2. Discuss with patients who have or may have a work related condition the importance of filing a workers compensation claim
3. Complete Form 8 for patients making a claim with WSIB (with consent)
4. Provide information to WSIB when requested (Waivers are not required, Section 37(1,2) WSIA)

# What should I teach my patients about WSIB benefits?

1. **Loss of earnings benefit** if there is time missed from work as a result of the work related injury or illness.
2. **Health care benefits** including hospitalization, surgery, or emergency care, prescription drugs, glasses and dental surgery.
3. **Non-economic Loss Benefits** for people who suffer a permanent impairment as a result of a workplace injury/illness.
4. **Return to work** and work transition services
5. **Loss of Retirement Income Benefits** that help to replace the money your patient would have saved for pension (only available to workers on continuous benefits for 12 months).
6. The Serious Injury and Occupational Disease programs offer **special services for severe and complex injury/illnesses**.





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# Insurance Forms - General

# Insurance Forms

## WSIB

Health Professional Form 8

Progress Report– Form 26

Functional Abilities Form (FAF) For Timely Return to Work

## Disability Forms and Other Insurance

Attending Physician's Statement

Physicals for pre-placement (work) certification

Back to work note / Sick note

## Auto Insurance

Insurance Certificate OCF- 3 Disability Certificate

Insurance Certificate OCF-18 Treatment Plan

Insurance Certificate OCF-19 Catastrophic Impairment

Insurance Certificate OCF-23 Treatment Confirmation

## Government Forms

Revenue Canada, Federal Disability Tax Credit

Canada Pension Plan (CPP) Disability Medical Report Form

Canada Pension Plan (CPP) Narrative Medical Report

1. Medico-legal document - All information must be defensible!

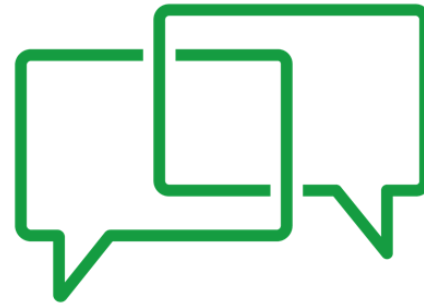
- Objective medical findings
- If subjective, state "Patient reports..."

2. Only requested information

3. For fitness / workability questions and forms:

- Health Care Provider role: **restrictions** and **limitations**
- Employer role: find modified work to accommodate to point of undue hardship (Human Rights Leg., WSIA)
- Do not mix roles! Do not specify tasks, do not state cannot work (you have no way of knowing what accommodations might be possible!)

# Discussion



More information:

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<https://www.wsib.ca>

<https://www.wsib.ca/en/health-care-providers/resources/physician-learning-modules>