

POLICY NUMBER: POL-30

Chapter:
CLAIMS

Subject:
ORTHOSES, PROSTHESES AND ASSISTIVE DEVICES

Effective Date:
November 15, 1994

Last Update:
January 26, 2023

REFERENCE:

Workers Compensation Act R.S.P.E.I. 1988, Cap. W-7.1, Section 18
Workers Compensation Board Policy, POL-64, Health Care Providers – Roles and Responsibilities

DEFINITION:

In this policy:

“Activities of Daily Living” means activities or tasks that a person does every day to maintain personal independence. Activities of daily living include personal care, mobility in and around the home, communication, and management of personal affairs.

“Assistive Device” means a device that increases the worker’s ability to perform activities of daily living and improve independence. Examples of assistive devices include wheelchairs, commodes, raised toilet seats, modified work tools, and adaptive technology components.

“Deformity” means a distortion of any part, or general disfigurement of the body. If present after injury, deformity usually implies the presence of fracture, dislocation or both, and may be due to extensive swelling, blood or rupture of muscles.

“Impairment” means a medically measurable, permanent

- (i) loss of physiological function, anatomical function or anatomical structure, or
- (ii) abnormality of psychological function, physiological function, anatomical function or anatomical structure.

“Orthosis” means a device which is designed to prevent or correct deformities, to protect painful body parts, or to improve the function of a limb.

“Prosthesis” means a fabricated substitute for a diseased or missing part of the body.

POLICY:

Eligibility

1. The Workers Compensation Board (WCB) will authorize the payment of an orthosis, prosthesis, or assistive device for a work-related injury when a worker has an impairment and is recommended by a health care provider as set out in WCB policy, POL-64, Health Care Providers – Roles and Responsibilities.
2. Where the worker does not have an impairment but the need is temporary, the WCB may authorize payment for an orthosis, prosthesis, or assistive device on a short term basis.
3. Prior to providing an orthosis, prosthesis, or assistive device, the WCB may require that a needs assessment be completed by a health care provider with the expertise to determine:
 - The worker’s functional capabilities
 - The worker’s immediate and long term treatment needs
 - Which orthosis, prosthesis, or assistive device is medically effective and sufficient to meet those needs.

Medical Effectiveness

4. The WCB considers an orthosis, prosthesis, or assistive device to be medically effective when it:
 - Improves or maintains the worker’s functional abilities
 - Improves the likelihood of a safe and timely return to work
 - Minimizes the risk of further injury or aggravation of the original injury
 - Reduces the severity of symptoms where the work-related injury has an impact on the activities of daily living.

Maintenance

5. The worker is responsible for the day-to-day care of the orthosis, prosthesis, or assistive device. The WCB may pay for repairs or replacement over time because of:
- Normal wear and tear
 - Damage from accidental causes
 - Changes in the physical condition of the worker and fit of the orthosis, prosthesis, or assistive device.

The worker must make use of any warranty before the WCB will repair or replace the orthosis, prosthesis, or assistive device.

The WCB may refuse to pay for the repair or replacement if there is evidence the worker wilfully damaged or destroyed it.

6. The WCB may repair or replace a worker's pre-injury orthosis, prosthesis, or assistive device when it is damaged during a workplace accident. The replacement or repair is to be of a similar type and quality as the pre-injury orthosis, prosthesis, or assistive device. The WCB will not cover any subsequent repair or replacement.

Footwear and Modifications

Orthopaedic Footwear

7. Orthopaedic footwear refers to footwear which is recommended by a health care provider and is specifically manufactured or custom-made to maintain the foot in normal alignment, in the presence of a foot deformity, while walking.
8. The WCB will provide an annual allowance for the purchase of orthopaedic footwear, where the WCB determines the worker has an impairment to their ankle or foot as a result of a compensable workplace injury and standard footwear cannot be adequately adapted. For other types of injuries, the decision will be made on a case by case basis.
9. The annual allowance of \$350 is payable directly to the worker for the purchase of orthopaedic footwear. Receipts are not required.

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Ordinary Footwear

10. The WCB does not consider ordinary footwear that is designed for everyday use and can be purchased in a retail store to be orthopaedic footwear for the purpose of this policy.
11. The WCB may approve ordinary retail footwear, on a one time basis, only in the following circumstances:
 - If the footwear is being recommended to improve the results of the orthotics or modification, which will facilitate or maintain a successful return to work for the worker.
 - If the worker requires larger or different shoes in order to fit an orthotic that is required because of the injury.

Modifications to Ordinary Footwear

12. Where a worker has suffered a serious foot or ankle injury resulting in functional impact to the lower extremity and, based on medical evidence, requires modifications to their existing footwear such as inserts, wedges, lifts and metatarsal bars, or custom orthotic inserts, the costs may be approved by the WCB.

HISTORY:

January 26, 2023 – amended to include new annual allowance for orthopaedic footwear.

January 10, 2019 – Non-substantive changes to reflect the legislative amendment to the definition of impairment.

May 22, 2014 - Amended to clarify the eligibility criteria for orthosis, prosthesis, assistive devices, and orthopaedic footwear. Also changed the reimbursement limits for orthopaedic footwear from \$150/pair for two pairs/year to \$350/year.

October 26, 2006 - A number of amendments were made as a result of an updated review of this policy.

July 19, 2001 - Revised Special Footwear policy. Changed name to Orthotics.

Board of Directors Approval Date: November 15, 1994
