

POLICY NUMBER: POL-73

**Chapter:
CLAIMS**

**Subject:
TRANSPORTATION ASSISTANCE**

**Effective Date:
December 13, 2001**

**Last Update:
November 18, 2023**

PURPOSE STATEMENT:

The purpose of this policy is to explain the criteria for authorization of transportation assistance, including vehicle modifications, which may be required as a result of a work-related injury.

REFERENCE:

Workers Compensation Act R.S.P.E.I.1988, Cap. W-7.1, Section 18

DEFINITION:

In this policy:

“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.

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POLICY:

1. The Workers Compensation Board (WCB) recognizes that as a result of a work-related injury, a worker may require assistance with transportation to facilitate a return to work or to maintain a level of personal independence.
2. Transportation assistance may be authorized for a worker who, as a result of their work-related injury, has:
 - An impairment or anticipated impairment.
 - Significant restrictions to mobility or function.
 - New or altered transportation needs.
3. All transportation assistance must be pre-approved by the WCB.
4. Each case will be considered on its individual merits, including the severity of the injury, the worker's functional abilities, the worker's transportation needs, and financial feasibility.
5. There may be exceptional cases where a worker does not have an impairment or anticipated impairment, but their injury has resulted in significant temporary restrictions to mobility or function. In these cases, consideration may be given to short-term authorization of transportation assistance.

Types of Transportation Assistance

6. If a worker is eligible for transportation assistance, the WCB will first determine the most appropriate and feasible option to meet the worker's needs.
7. The following types of transportation assistance will be considered, in order:
 - Costs for publicly available commercial transportation.
 - Modifications to a worker's vehicle, or
 - Assistance with the purchase of a suitable vehicle to be modified.

Vehicle Modifications

8. If a worker's transportation needs cannot be reasonably met through commercial transportation, the WCB will consider authorization for modifications to one vehicle.
9. The worker does not have to be the driver of the vehicle to be eligible for vehicle modifications if the worker is required, as a result of the work-related injury, to have someone drive them.
10. Vehicle modifications may be authorized when all of the following conditions are met:
 - The vehicle modifications are required as a result of a work-related injury.
 - The modifications will assist in facilitating a return to work or maintaining a level of personal independence.
 - A functional assessment, conducted by recognized health care provider who is trained to provide such an assessment, confirms the necessity and type of modifications required.
 - The modifications are required for the worker to safely operate or be transported in the vehicle.
 - The modifications meet legal requirements for such transportation.
 - The modifications are done by a service provider approved by the WCB and will be billed directly to the WCB.
 - The worker or designate is licensed and trained to operate the vehicle.
 - There is proof of vehicle ownership and insurance.
 - The vehicle is the worker's primary mode of transportation, and
 - The modifications are appropriate and feasible, given the condition, make and age of the vehicle based on an independent inspection of the vehicle.
11. Where a worker does not own the vehicle to be modified, vehicle modifications may be authorized if there is written consent from the vehicle owner.
12. Modifications may include, but are not limited to the following:
 - Wheelchair lift
 - Tie-down for wheelchair
 - Elevating devices
 - Roof, floor and door alterations
 - Hand controls for vehicle

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- Other necessary accessories recommended through an assessment completed by the WCB.
13. Where a worker wishes to upgrade the modifications approved by the WCB, the worker is responsible for payment of any additional costs.
14. To a maximum of once every five years, authorization will be considered:
- To transfer the modifications to another suitable vehicle purchased by the worker.
 - Where transfer of the modifications is not feasible, to install new modifications in another suitable vehicle purchased by the worker.

Vehicle Purchase

15. Financial assistance may be provided to purchase a vehicle that is appropriate for modification and to have the vehicle modified to meet the needs of an eligible worker, where:
- An independent inspection shows that modifications to a worker's existing vehicle are not feasible.
 - Commercial transportation is not an available or feasible option, and the worker is unable to finance the purchase of a suitable vehicle for modification.
16. Vehicle purchases will be authorized only where the work-related injury requires the worker to use:
- A power wheelchair.
 - A manual wheelchair and is unable to self-transfer from the chair to the vehicle.
17. Where the purchase of an alternate vehicle is determined to be reasonable and appropriate:
- The WCB will provide payment for a vehicle that it considers the best value based on the options available and the worker's assessed functional needs.
 - The worker must contribute an amount equivalent to the greater of the fair market value of the worker's existing vehicle or the selling price, if applicable.
 - The worker must obtain vehicle insurance to the satisfaction of the WCB.

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18. Where a worker wishes to upgrade or purchase a different vehicle that is suitable for modifications, the worker is responsible for payment of any additional costs.
19. Vehicle purchase assistance for eligible workers is authorized for one vehicle on a one-time only basis. Under special circumstances, such as the deterioration of the compensable condition or accommodation of alternative driving arrangements, authorization of an additional vehicle purchase may be authorized on a case-by-case basis.

Maintenance, Repairs, Replacements and Other Costs

20. The WCB considers the vehicle and vehicle modifications to be the property of the worker. The worker is responsible for the day-to-day maintenance of the vehicle modifications. The WCB is not responsible for general vehicle maintenance repairs which would be required regardless of the injury.
21. Modification repairs or replacement may be paid for if they result from any of the following:
 - Normal wear and tear.
 - Damage which does not result from a motor vehicle accident.
 - Changes in the physical condition of the worker.
 - The original, modified vehicle or equipment is no longer safe or operational.
23. The worker must make use of any warranty on vehicle modifications before the WCB will repair or replace any modifications made.
24. The WCB may refuse to pay for the repair or replacement of the vehicle modification if there is evidence that the worker wilfully damaged or destroyed it.
25. Assistance with additional expenses associated with vehicle modifications, such as the initial vehicle inspection, increased insurance, licensing and warranty costs may be provided.
26. When necessary for the safe operation of the modified vehicle, the WCB may pay for specialized driver training.

HISTORY:

November 18, 2023 – Non-substantive changes for clarity and readability.

July 15, 2019 – Amended to clarify the eligibility criteria and conditions for approval, including consideration of assistance for workers with temporary transportation needs, commercial transportation as the first option for assistance and increased assistance to purchase a vehicle for modification. Previously titled, Vehicle Modifications.

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

February 13, 2013 - The policy was reviewed as a result of the 60-month policy review process. No substantive changes were made to the policy during this review.

November 29, 2007 - The policy was updated as a result of the 60-month policy review process.

December 13, 2001 - Replaces Policy and Practice “Purchases for Paraplegics and Quadriplegics” dated October 14, 1993.

Board of Directors Approval Date: December 13, 2001