

**Operational
Policy**

Section

Prosthetic and Assistive Devices

Subject

Health Care Equipment and Supplies

Law

Section 33 of the *Workplace Safety and Insurance Act* provides:

A worker who sustains an injury is entitled to such health care as may be necessary, appropriate, and sufficient as a result of his or her injury.

The WSIB may arrange for the worker's health care or may approve arrangements for his or her health care. The WSIB shall pay for the worker's health care and may establish fee schedules for health care.

No health care practitioner shall request a worker to pay for health care or any related service provided under the insurance plan.

No action lies against the WSIB for payment of an amount greater than is established in the applicable fee schedule for health care provided to a worker. No action lies against a person other than the WSIB for payment for health care provided to a worker.

The WSIB shall determine all questions concerning the necessity, appropriateness and sufficiency of health care provided to a worker or that may be provided to a worker, and payment for health care provided to a worker.

Policy

The WSIB may authorize the purchase of one or more health care products that fall into the category of health care equipment/supplies when an injured worker requires the health care product(s) as a result of a work-related injury/disease.

The WSIB expects Ontario workers to purchase health care equipment/supplies from preferred suppliers that have entered into an agreement with the WSIB for the provision of these health care products to injured workers, see 17-01-07, Preferred Suppliers of Health Care Products/Services.

Guidelines

This policy should be read in conjunction with 17-01-07, Preferred Supplier of Health Care Products/Services.

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Definition

Health care equipment/supplies are products used

- as a treatment or functional aid during the worker's recovery, or
- to improve or maintain the worker's independent living.

Health care equipment/supplies are products available off-the-shelf and do not require

- complex modification, customization or fitting,
- a pharmacist or health professional to oversee the provision and purchase of the product.

Not included in health care equipment/supplies are

- prescription, over the counter or off-the-shelf medications,
- health care products which require complex modification, customization or fitting.

Health care equipment/supplies include but are not limited to

- canes/crutches, tips
- back rests (e.g., Obus formes/seats)
- back supports (e.g., camp corset)
- genito-urinary (G.U.) supplies
- toilet seats, commodes
- tub stools, grab bars
- walkers and accessories

(See complete list available on WSIB website)

Entitlement criteria

The WSIB may authorize health care equipment/supplies prescribed by a health professional when

- the claim is allowed and there is ongoing entitlement to benefits and/or services, and
- recent health care reports provide objective clinical findings, confirm the need for the health care equipment/supplies, outline treatment goals including duration of use and need, and
- the health care equipment/supplies are required as a result of a work-related injury/disease, and
- the health care equipment/supplies are used to treat and/or alleviate the effects of the work-related injury/disease, or are used to improve or maintain the worker's independent living.

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Prescriptions

Workers must provide the WSIB with the original prescription for all health care equipment/supplies. If a prescription is not approved by the WSIB, a new original prescription must be provided if approval is requested again in the future.

A new prescription is also required if a request is made for a different type of health care equipment/supplies.

The prescription must be provided by the treating health professional, who cannot be the same person as the dispenser of the health care equipment/supplies.

Criteria for payment

The WSIB pays for a worker's prescription health care equipment/supplies, in an allowed claim where there is ongoing entitlement to benefits and/or services, if the health care equipment/supplies

- meet the entitlement criteria, set out above, and
- are approved by the WSIB.

Approval before purchase

Before purchasing new or replacement prescription health care equipment/supplies, workers should get approval from the WSIB for

- the health care equipment/supplies, and
- the cost, and
- the supplier/provider.

Requesting approval before purchase is important.

- If the WSIB does not authorize the purchase (see Entitlement criteria, above), the WSIB is not responsible for the cost of the health care equipment/supplies, or
- If the price exceeds the amount that would be authorized by the WSIB, the WSIB is not responsible for the costs above the amount authorized.

For additional information see 17-01-07, Preferred Suppliers of Health Care Products/Services - "Exceptions - Purchases made prior to claim allowance".

Purchase from preferred suppliers

Workers are expected to purchase health care equipment/supplies from organizations which have entered into an agreement with the WSIB for the provision of these products to injured workers, see 17-01-07, Preferred Suppliers of Health Care Products/Services.

Use of the preferred suppliers ensures the worker will not have to pay to obtain the authorized and approved health care equipment/supplies. The WSIB will pay the preferred supplier directly.

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Exceptions to use of preferred suppliers

Payment for the purchase of authorized and approved health care equipment/supplies will only be made to workers or non-preferred suppliers in exceptional circumstances described in the section called "Exceptions to the General Rule" in OPM 17-01-07, Preferred Suppliers of Health Care Products/Services.

Repairs and replacements

The WSIB may approve requests for repairs or replacement of health care equipment/supplies if

- the WSIB previously approved and paid for the health care equipment/supplies
- the claim is allowed and there is ongoing entitlement to benefits and/or services, (i.e., ongoing loss of earnings benefits, permanent disability/impairment is present or likely)
- recent health care reports provide objective clinical findings, confirm the continuing need for the health care equipment/supplies, outline treatment goals including duration of use and need
- the health care equipment has deteriorated due to regular or heavy use, but not damaged as a result of the worker's negligence, and
- a request for a replacement is accompanied by a new prescription.

(All of the above criteria need to be met in order for the WSIB to approve repairs or replacements.)

NOTE

The approval process under "Repairs and replacements" also has to be followed if, as the result of a change in the worker's clinical condition, a request is made for a different type of prescription health care equipment/supplies.

Exception

If there is evidence the health care equipment/supplies were deliberately damaged, misused, or the warranty requirements or operating instructions were not properly followed, the WSIB will not authorize or pay to repair or replace the health care equipment/supplies.

Application date

This policy applies to all purchases of health care equipment/supplies made on or after March 3, 2008, for all accidents.

Document history

New document.

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References

Legislative authority

Workplace Safety and Insurance Act, 1997, as amended
Sections 32, 33 (1),(2),(3),(5),(6),(7)

Workers' Compensation Act, R.S.O. 1990, as amended
Sections 50 (1),(2),(3),(4),(6),(7)

Minute