

APPENDIX 'C'

Consequential Amendments

Existing Policy Item	Location of Reference	Replace with Proposed Item
#13.00	<i>RS&CM</i> policy item #74.30 (Ch 10)	C3-12.00
#13.10	<i>RS&CM</i> policy item #25.00 & #27.34 (Ch 4)	C3-12.00
#13.12	<i>RS&CM</i> policy item #26.00 (Ch 4)	C3-12.00
#13.20	<i>RS&CM</i> Chapter 4 Note 14	C3-12.00
#14.00	<i>RS&CM</i> Chapter 16 Note 11	C3-14.00
#14.10	<i>RS&CM</i> Chapter 12 Note 24	C3-14.20
#15.10	<i>RS&CM</i> policy item #30.70 (Ch 4)	C3-16.00
#15.15	<i>RS&CM</i> policy item #30.70 (Ch 4)	C3-16.20
#15.30	<i>RS&CM</i> policy item #115.30 (Ch 17)	C3-16.00
	<i>Assessment Manual</i> item AP1-42-2	
#16.60	<i>RS&CM</i> policy item #115.30 (Ch 17)	C3-14.10
	<i>Assessment Manual</i> item AP1-42-2	
#21.20	<i>Assessment Manual</i> item AP1-2-3	Delete
#21.40	<i>Assessment Manual</i> item AP1-2-3	C3-18.00
#22.00	<i>RS&CM</i> policy item #31.00 (Ch 4)	C3-22.00
#22.11	<i>RS&CM</i> Chapter 10 Note 18	C3-22.00
#22.33	<i>RS&CM</i> Chapter 4 Note 14	C3-22.30
	<i>RS&CM</i> policy item #43.10 (Ch 6)	
#22.34	<i>RS&CM</i> Chapter 4 Note 14	C3-22.40
#22.35	<i>RS&CM</i> policy item #39.02 (Ch 6)	C3-22.20
#23.00	<i>RS&CM</i> policy items #74.30 & #77.10 (Ch 10)	C3-23.00
#23.70	<i>RS&CM</i> policy item #74.30 (Ch 10)	C3-23.00
#24.00	<i>RS&CM</i> policy item #31.00 (Ch 4)	C3-12.10
	<i>RS&CM</i> Chapter 16 Note 14	

Existing Policy Item	Location of Reference	Replace with Proposed Item
N/A	<i>RS&CM</i> item C11-88.50	Addition of cross references to C3-20.00 and C3-22.00

#26.55 *Aggravation of a Disease*

Where a worker has a pre-existing disease which is aggravated by work activities to the point where the worker is thereby disabled, and where such pre-existing disease would not have been disabling in the absence of that work activity, the Board will accept that it was the work activity that rendered the disease disabling and pay compensation. Evidence that the pre-existing disease has been significantly accelerated, activated, or advanced more quickly than would have occurred in the absence of the work activity, is confirmation that a compensable aggravation has resulted from the work.

This must be distinguished from the situation where work activities have the effect of drawing to the attention of the worker the existence of the pre-existing disease without significantly affecting the course of such disease. For example, a worker who experiences hand or arm pain due to an arthritis condition affecting that limb will not be entitled to compensation simply because they experience pain in that limb from performing employment activities. Similarly, a worker with a history of intermittent pain and numbness in a hand/wrist due to a pre-existing median nerve entrapment (carpal tunnel syndrome) will not be entitled to compensation just because their work activities also produce the same symptoms. To be compensable as a work-related aggravation of a disease, the evidence must establish that the employment activated or accelerated the pre-existing disease to the point of disability in circumstances where such disability would not have occurred but for the employment.

Where the pre-existing disease was compensable, the Board officer must decide if the aggravation should be treated as a new claim or as a reopening of an earlier claim.

An aggravation of a pre-existing disease which is attributed to a specific event or trauma, or to a series of specific events or traumas, will be treated as a personal injury and will be adjudicated in accordance with the policies set out in Chapter 3. For example, a worker who injures his or her back while performing a series of awkward lifts at work may suffer an aggravation to an underlying degenerative disc disease, or a worker with subacromial bursitis may strain the shoulder while completing a particular lift.

An aggravation of a pre-existing disease which is not attributed to a specific event or trauma, or to a series of specific events or traumas, will be treated as a disease. For example, a worker with a prior history of carpal tunnel syndrome may aggravate such condition to the point of requiring surgery as a result of several weeks of exposure to vibrating equipment.

Where a compensable aggravation of a pre-existing disease occurs, consideration will be given to relief of costs under section 39(1)(e) of the Act. **If a permanent disability results, consideration is also given to proportionate entitlement under and to section 5(5) of the Act.** (See policy item #114.40.)