

2003/01/21-01

THE WORKERS' COMPENSATION BOARD OF BRITISH COLUMBIA

RESOLUTION OF THE BOARD OF DIRECTORS

**Re: Consequential Policy Amendments in Regard to
the *Workers Compensation Amendment Act (No. 2), 2002***

WHEREAS:

Pursuant to section 82 of the *Workers Compensation Act*, RSBC 1996, Chapter 492 and amendments thereto ("*Act*"), the Board of Directors must set and revise as necessary the policies of the Board of Directors, including policies respecting compensation, assessment, rehabilitation, and occupational health and safety;

AND WHEREAS:

On October 31, 2002, the Lieutenant Governor in Council of the Province of British Columbia gave Royal Assent to the *Workers Compensation Amendment Act (No. 2), 2002* ("Bill 63"), which will create a new review/appeal structure for the workers' compensation system and will place limitations on the authority of the Workers' Compensation Board to reconsider its previous decisions;

AND WHEREAS:

The Lieutenant Governor in Council is, by regulation, generally bringing Bill 63 into force effective March 3, 2003;

AND WHEREAS:

On December 17, 2002, the former Panel of Administrators approved substantive new policies and policy changes, effective March 3, 2003, in regard to various provisions of Bill 63, in particular the limitations placed upon the Board's authority to change its previous decisions and orders and the obligation of the Board in decision-making to apply a policy of the Board of Directors that is applicable to the case before it;

AND WHEREAS:

The Policy and Regulation Development Bureau ("Bureau") has developed consequential policy amendments to implement both Bill 63 and the substantive policies and policy changes approved by the Panel;

THE BOARD OF DIRECTORS RESOLVES THAT:

1. In relation to the *Rehabilitation Services & Claims Manual*, Volume I, the following are approved:
 - (a) the deletion of Chapter 13 and its replacement by the POLICY statements in Items C13-100.00 – C13-104.00, including the policy items in the Appendix to Item C13-103.00 and the policy items in the Appendix to Item C13-104.00, insofar as the Appendices are consistent with the *Workers Compensation Amendment Act (No. 2), 2002*, all attached as Appendix "A1" to this resolution; and
 - (b) the amendments to the policy items attached as Appendix "A2" to this resolution, as shown in Appendix "A2".
2. In relation to the *Rehabilitation Services & Claims Manual*, Volume II, the following are approved:
 - (a) the deletion of Chapter 13 and its replacement by the POLICY statements in Items C13-100.00 - C13-104.00, including the policy items in the Appendix to Item C13-103.00 and the policy items in the Appendix to Item C13-104.00, insofar as the Appendices are consistent with the *Workers Compensation Amendment Act (No. 2), 2002*, all attached as Appendix "B1" to this resolution; and
 - (b) the amendments to the policy items attached as Appendix "B2" to this resolution, as shown in Appendix "B2".
3. In relation to the *Assessment Manual*, the amendments to the POLICY statements in the Items attached as Appendix "C" to this resolution, as shown in Appendix "C", are approved.
4. In relation to the *Prevention Manual*, the amendments to the POLICY statements in the Items attached as Appendix "D" to this resolution, as shown in Appendix "D", are approved.
5. This resolution is effective on March 3, 2003 and the new policies and policy changes apply to all decisions made on or after that date.

DATED at Richmond, British Columbia on January 21, 2003.

By the Workers' Compensation Board

**DOUG ENNS, CHAIR
BOARD OF DIRECTORS**

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