

2002/12/17-02

THE WORKERS' COMPENSATION BOARD OF BRITISH COLUMBIA
RESOLUTION OF THE PANEL OF ADMINISTRATORS

**Re: Policies 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 Panel of Administrators ("Panel") must approve and superintend the policies and direction of the Workers' Compensation Board ("Board"), including policies respecting compensation, assessment, rehabilitation and occupational safety and health, and must review and approve the operating policies of the Board;

AND WHEREAS:

On October 31, 2002, the Lieutenant Governor 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:

New policies and policy changes are required, 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 policies in regard to these areas and presented the policies to the Panel for consideration;

THE PANEL OF ADMINISTRATORS RESOLVES THAT:

1. To implement the amendments in Bill 63 relating to the Board’s authority to change its previous decisions and orders, the following are approved:
 - (a) the deletion of Chapter 14 of the *Rehabilitation Services & Claims Manual*, Volumes I and II, and its replacement in both Volumes by the POLICY statements in Items C14-101.01 to C14-105.01, attached as Appendix A1;
 - (b) the changes to the POLICY statements in Items AP1-37-1, AP1-37-3 and AP1-96-1 of the *Assessment Manual* and the POLICY statement in new Item AP1-96-2 of the *Assessment Manual*, attached as Appendix A2; and
 - (c) the changes to the POLICY statement in Item D2-113-2 of the *Prevention Manual*, attached as Appendix A3.

2. To implement the amendments in Bill 63 relating to 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, the following are approved:
 - (a) new policy item #2.20 for the *Rehabilitation Services & Claims Manual*, Volume I, attached as Appendix B1;
 - (b) new policy item #2.20, for the *Rehabilitation Services & Claims Manual*, Volume II, attached as Appendix B2;
 - (c) the POLICY statements in new Item AP1-1-0 for the *Assessment Manual*, attached as Appendix B3; and
 - (d) the POLICY statements in new Item D1-107-1 for the *Prevention Manual*, attached as Appendix B4.

3. To implement a consequential policy change resulting from the amendments in Bill 63 relating to the Board’s authority to change its previous decisions and orders, the changes to policy item #66.12 of the *Rehabilitation Services & Claims Manual*, Volume I, and to policy item #65.04 of the *Rehabilitation Services & Claims Manual*, Volume II, attached as Appendix C are approved.

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 December 17, 2002.

By the Workers' Compensation Board

**MAUREEN NICHOLLS, CHAIR
PANEL OF ADMINISTRATORS**

Appendices

- [Appendix A1](#)
- [Appendix A2](#)
- [Appendix A3](#)
- [Appendix B1](#)
- [Appendix B2](#)
- [Appendix B3](#)
- [Appendix B4](#)
- [Appendix C](#)