

**Additions in Bold; Deletions Strikethrough**

**PROPOSED POLICY AMENDMENTS**

**#93.26      Obligation to Provide Information**

**Section 57.1 of the Act provides as follows:**

- (1)      A worker who applies for or is receiving compensation must provide the Board with the information that the Board considers necessary to administer the worker's claim.**
- (2)      If a worker fails to comply with subsection (1) the Board may reduce or suspend payments to the worker until the worker complies.**

**The Board operates under an inquiry system and as such, reasonable efforts are made to obtain information directly from the source. However, it is recognized that, in the course of administering a claim, the Board may have to rely on a worker to obtain relevant information.**

**A worker's obligation to provide information may arise at any time during the claim cycle. Necessary information includes, but is not limited to, information related to the worker's compensable disability, pre and post-injury earnings, tax status and Canada Pension Plan disability benefits.**

**The Board will set a timeframe for the worker to provide the necessary information. The timeframe may vary depending upon the nature of the information requested. However, it should not extend past 30 days, except where the Board is satisfied that the worker is making best efforts to obtain the necessary information.**

**Where the Board requires information from a worker that it considers necessary to administer the worker's claim, notification must be provided in writing. Notification to the worker must specify:**

- what information is required;**
- the worker's obligation to provide the information;**
- the timeframe for compliance; and**
- the consequences for failing to comply.**

**The Board may reduce or suspend a worker's payments if, after providing written notification of the obligation to provide necessary information and the consequences of failing to comply, the worker:**

- fails or refuses to supply the information within the specified timeframe; and
- does not have a valid reason for failing to comply.

If a worker has to obtain the information from a third party (e.g., Human Resources Development Canada or Canada Customs and Revenue Agency), the Board must be satisfied that the worker failed to take all reasonable steps to acquire the information before determining that a worker has failed to comply.

The Board recognizes that, in the course of obtaining requested information from third parties, certain fees may be levied. In these cases, the Board will provide reimbursement for necessary and reasonable costs incurred by the worker.

When a worker fails to fulfill the obligation to provide information, the Board will determine whether there was a valid reason. Payments will not be reduced or suspended for non-compliance if there is a valid reason acceptable to the Board, such as a sudden illness or a death in the family.

Once the worker has fulfilled his or her obligation to provide information, the Board will restore payments for any period for which they were reduced or suspended.

This policy does not restrict the Board from pursuing all available courses of action in response to fraud or misrepresentation.