

# Insight

May 2023



## **May 2023 public hearing on Asbestos Certification and Licensing (Bill 5)**

Inviting your feedback on proposed *OHSR* amendments relating to asbestos certification and licensing



## **New policies on Interest and Non-Traumatic Hearing Loss (Bill 41)**

Learn about the new policies recently approved by the Board of Directors



## **Gendered language in the *Prevention Manual***

Housekeeping amendments made to the *Prevention Manual*



## **New searchable *Rehabilitation Services & Claims Manual***

A searchable version of our compensation policy manual is now available



## **WorkSafeBC's Evidence-Based Practice Group has published three new systematic reviews**

Check out the recent systematic reviews

**Discover more at [worksafebc.com](https://worksafebc.com)**

Bookmark our [Law & Policy Announcements webpage](#): check for regular updates and view our recent Board of Directors' decisions and upcoming public consultation opportunities on policy and regulation issues.

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## May 2023 public hearing on Asbestos Certification and Licensing (Bill 5)

The Policy, Regulation and Research Department (PRRD) is holding a virtual public hearing on **Tuesday, May 9, 2023**, on proposed amendments to Part 6, Asbestos Certification and Licensing in the *Occupational Health and Safety Regulation*.

In March 2022, the provincial government passed Bill 5 — 2022: *Workers Compensation Amendment Act, 2022*, to introduce certification and licensing provisions for managing asbestos abatement work. The Bill 5 amendments give WorkSafeBC the authority to administer a certification program for persons carrying out asbestos abatement work. This includes the authority to provide training; give examinations; and issue, renew, and amend certificates. WorkSafeBC can also enter into arrangements with other persons for these purposes.

Bill 5 also includes provisions which, when in force, will require asbestos abatement contractors to have a license and ensure any workers carrying out asbestos abatement work hold a certificate. Bill 5 will give WorkSafeBC the authority to issue or cancel a license, and will require WorkSafeBC to establish and maintain a registry of licensees.

### Participating in the public hearing process

The virtual public hearing will be streamed live in two sessions. The first session will take place from 11 a.m. to 1 p.m., and the second from 3 p.m. to 5 p.m. Details on how to view or participate in the public hearing are posted on [worksafebc.com](https://worksafebc.com)

View the [proposed amendments and explanatory notes](#).

We welcome your feedback on the proposed amendments by written submission or by participation at the public hearing. You can register to speak at the hearing by calling 604.232.7744, or toll-free in B.C. at 1.866.614.7744. Each organization or individual will be permitted to make one presentation.

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Written submissions for the public hearing can be made online until **4:30 p.m. on Wednesday, May 10, 2023**, via [worksafebc.com](https://worksafebc.com) or by email to [ohsregfeedback@worksafebc.com](mailto:ohsregfeedback@worksafebc.com).

## **Proposed policy amendments regarding asbestos abatement licensing**

The PRRD has released a [discussion paper and draft policy](#) for public consultation regarding asbestos abatement licensing. At issue is the addition of a new policy item in the Prevention Manual to reflect the implementation of Bill 5, and to support the asbestos licensing model being developed by WorkSafeBC's Prevention Services.

Written submissions for the public consultation can be made online until **4:30 p.m. on Wednesday, May 10, 2023**, via [worksafebc.com](https://worksafebc.com) or by email to [policy@worksafebc.com](mailto:policy@worksafebc.com).

All feedback received during the public hearing and public consultation will be presented to our Board of Directors for their consideration.

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## **New policies on Interest and Non-Traumatic Hearing Loss (Bill 41)**

Bill 41 – the *Workers Compensation Amendment Act (No. 2), 2022* received Royal Assent on November 24, 2022. Bill 41 contains seven amendments to the *Workers Compensation Act (Act)* to better support injured workers and align British Columbia with other provinces in providing benefits for injured workers.

The Policy, Regulation and Research Department (PRRD) recently presented policy changes to the Board of Directors for decision, resulting from two [Bill 41](#) amendments on interest on compensation benefits and non-traumatic hearing loss.

### **Interest on Compensation Benefits**

Effective April 3, 2023, Bill 41 amended the *Act* to require interest be paid on delayed benefit payments following a review or appeal entitlement determination, where the benefits have remained unpaid for at least 180 days from the benefit effective date.

The PRRD has amended policy item #50.00, *Interest*, of the *Rehabilitation Services & Claims Manual*, Volume II, to clarify:

- The circumstances in which an entitlement determination has been made by the Review Division and the Workers Compensation Appeal Tribunal.
- The meaning of effective date, and that for compensation payable by periodic payments, each payment has its own effective date.
- Interest is paid beginning on the effective date.

The amendments apply to all decisions, including appellate decisions, made on or after April 3, 2023. View the Board of Directors' [decision](#).

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## Schedule 2 – Non-traumatic Hearing Loss

Effective November 24, 2022, Bill 41 amended sections 145 and 198 of the *Act*, allowing WorkSafeBC to increase the maximum compensation for non-traumatic hearing loss under Schedule 2, Non-traumatic Hearing Loss. Prior to Bill 41, the *Act* capped compensation at 15%, which WorkSafeBC did not have the authority to change.

Schedule 2 is used when determining compensation entitlement under sections 145 and 198 of the *Act* for workers who have developed hearing loss gradually, because of exposure to occupational noise. It sets out the ranges of hearing loss, percentages of disability, and methods and frequencies used to measure non-traumatic hearing loss.

Under Bill 41, section 198 was amended to remove the 15% cap, and instead states the maximum percentage of total disability is specified in Schedule 2. Under Schedule 2, the total disability percentage for hearing loss will be increased on May 15, 2023, from 3% to 6% for total hearing loss in one ear only, and from 15% to 36% for complete hearing loss in both ears. Section 145(3) was amended to permit WorkSafeBC to amend the maximum percentages of total disability in Schedule 2.s

The PRRD has subsequently made amendments to Schedule 2 of the *Act*, and to Item C4-31.00, *Hearing Loss*, and Appendix 3 of the *Rehabilitation Services & Claims Manual*, Volume II.

The amendments come into effect May 15, 2023. View the Board of Directors' [decision](#).

To learn more about these changes, and the ongoing work on the Bill 41 amendments, visit [worksafebc.com](https://worksafebc.com).

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## Gendered language in the Prevention Manual

At its January 2023 meeting, WorksafeBC's Board of Directors approved housekeeping amendments to the *Prevention Manual* to amend gendered pronouns such as "he or she" and "his or hers". The gendered pronouns are replaced with gender-neutral terminology to ensure that the manual reflects the diverse gender identities of our stakeholders, and to align our policies with WorkSafeBC's strategic priority of incorporating equity, diversity, and inclusion into our regulations, policies, programs, and processes.

The amendments came into effect March 1, 2023. View the Board of Directors' [decision](#).

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## **New searchable *Rehabilitation Services & Claims Manual***

Finding the relevant compensation policy in the *Rehabilitation Services & Claims Manual*, Volume II (*RS&CM*) has become easier with the release of a new searchable *RS&CM* application. This project is the result of a collaboration between the Policy, Regulation and Research Department and Innovation Services, to make compensation policies more accessible to stakeholders and the public.

Until now, the online *RS&CM* was available only in a PDF format and the search feature was limited to a simple “find word” function.

The new application includes enhanced search features that allow users to enter keywords and get a list of results (policy items in the manual) that best match the keywords. The “Smart” search mode will look for words similar to those you type, even if the exact search term is not found in policy, making searches simpler and more user-friendly.

The “Exact Match” search tool also allows users to conduct more complex searches such as:

- Boolean searches, which use a set of commands (“AND,” “OR,” and “NOT”) to either broaden or narrow your search results.
- Word proximity searches, which find documents where two or more separate terms are matched within a specified distance.
- Wildcard searches, in which a wild card character takes the place of one or more characters in a search term. A question mark (?) is used to replace a single character. An asterisk (\*) is used to replace multiple characters. This type of search is used to find alternative spellings and variations of a root word.

Visit [worksafebc.com](https://worksafebc.com) to learn more and try out the new searchable *RS&CM*.

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## **WorkSafeBC's Evidence-Based Practice Group Published Three New Systematic Reviews**

WorkSafeBC relies on the latest medical information to guide our approach. Our Evidence-Based Practice Group (EBPG) researches various topics, treatments, and practices, to gather evidence-based information to address the many medical issues that arise on a regular basis, including to inform policy and practice.

The EBPG applies the Cochrane Collaboration international standards to source out and critically appraise the scientific evidence on topics of interest to WorkSafeBC. By employing this standard systematic review process, the EBPG helps policy makers apply the best scientific evidence when addressing key questions.

In the first quarter of 2023, the EBPG published [systematic reviews](#) on the following topics:

### **Treatment for Complex Regional Pain Syndrome (CPRS): 2023 Update**

- An update of the EBPG's 2017 systematic review which aimed to determine whether there is any evidence to support the efficacy and/or effectiveness of bisphosphonates as treatment for CPRS. Bisphosphonates are a group of drugs that can be used to help treat some bone conditions like osteoporosis and other conditions that affect the density and strength of bones.

### **Carpal Tunnel Release Surgery and Trigger Finger**

- The objective of this review was to determine whether there is any evidence to support the (causal) association between carpal tunnel release surgery and the subsequent development of trigger finger. Trigger finger is a condition that affects tendons that flex the fingers and thumb, typically resulting in a sensation of locking when bending and straightening the digits.

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## **SARS Cov-2 Infection and the Development of Trigeminal Neuralgia**

- The objective of this review was to determine whether there is any evidence to support the (causal) association between SARS-Cov-2 infection and the development of trigeminal neuralgia. Trigeminal neuralgia is a condition characterized by pain coming from the trigeminal nerve, which starts near the top of the ear and splits in three, toward the eye, cheek, and jaw.

## **Ongoing work with the International Network of Agencies for Health Technology Assessment**

The EBPG is continuing work with the [International Network of Agencies for Health Technology Assessment \(INAHTA\)](#) database to list their reviews in the database. The INAHTA database provides free access to bibliographic information about ongoing and published health technology assessments commissioned or undertaken by Health Technology Assessment organizations from around the world.

To learn more about the EBPG, and to view published systematic reviews and rapid reviews, visit <https://worksafebc.com/evidence>