

Moving Forward: Next Steps for Mental Health Case Management, Recovery and Return to Work

Jennifer Leyen

Director, Clinical Services

February 1, 2019

Agenda

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- 2 Law and policy framework
- 3 Mental disorder data
- 4 Life of a claim
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Mental Disorder Law and Policy

Prior to July 1, 2012:

Compensation payable only where the mental stress is an acute reaction to a sudden and unexpected traumatic event arising out of and in the course of the worker's employment

July 2, 2012:

is a reaction to one or more **traumatic events** arising out of and in the course of the worker's employment; or

is **predominantly caused** by a significant work-related stressor, or a cumulative series of significant work-related stressors, arising out of and in the course of the worker's employment

May 17, 2018:

Mental disorder presumption for First Responders (correctional officers, emergency medical assistant, fire fighter, police and sheriff)

July 23, 2018:

Policy amended two mental disorder policies (C3-13.00 and C3-13.10)

Additional policy changes anticipated in 2019

Mental Disorder Law

Section 5.1(1) provides that a worker will be compensated for a mental disorder that does not result from an injury, but only if the worker's mental disorder:

- Is a reaction to one or more traumatic event arising out of and in the course of the worker's employment, **or**
- Is predominantly caused by a significant work-related stressor, including bullying or harassment, or a cumulative series of significant work-related stressors, arising out of and in the course of the worker's employment;
- Is diagnosed by a psychologist or psychiatrist as a mental or physical condition that is described in the most recent, at the time of diagnosis, American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders ("DSM"), **and**
- Is **not** caused by a decision of the worker's employer relating to the worker's employment including a decision to change the work to be performed or the working conditions, to discipline the worker or to terminate the worker's employment.

Mental Disorder Presumption

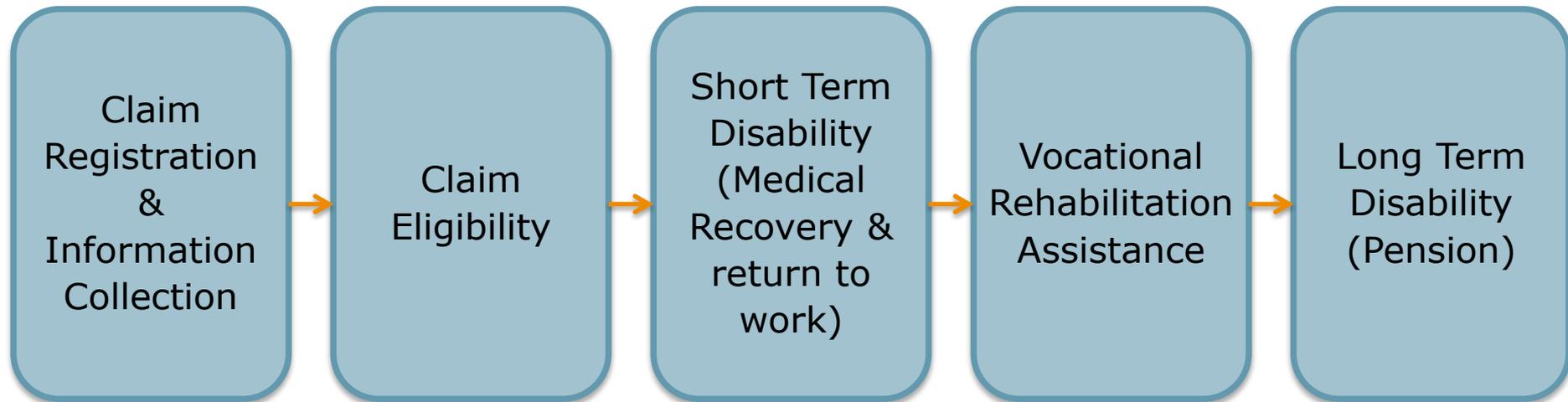
Section 5.1(1.1) provides a mental disorder presumption for a worker who is or has been employed in an eligible occupation. The presumption applies if the worker:

- Is exposed to one or more traumatic events arising out of and in the course of the worker's employment in that occupation; and
- Is diagnosed by a psychologist or psychiatrist with a mental disorder that is recognized in the most recent American Psychiatric Association's DSM as a mental or physical condition that may arise from exposure to a traumatic event.
- Current eligible occupations: correctional officer, emergency medical assistant, firefighter, police officer and sheriff.

Mental Disorder Claims Data

- 2018 mental disorder data, including data specific to First Responders, will be available by the end of February 2019
- Please contact Jennifer.Leyen@WorkSafeBC.com for 2018 data or go online at www.worksafebc.com

Life of a Claim



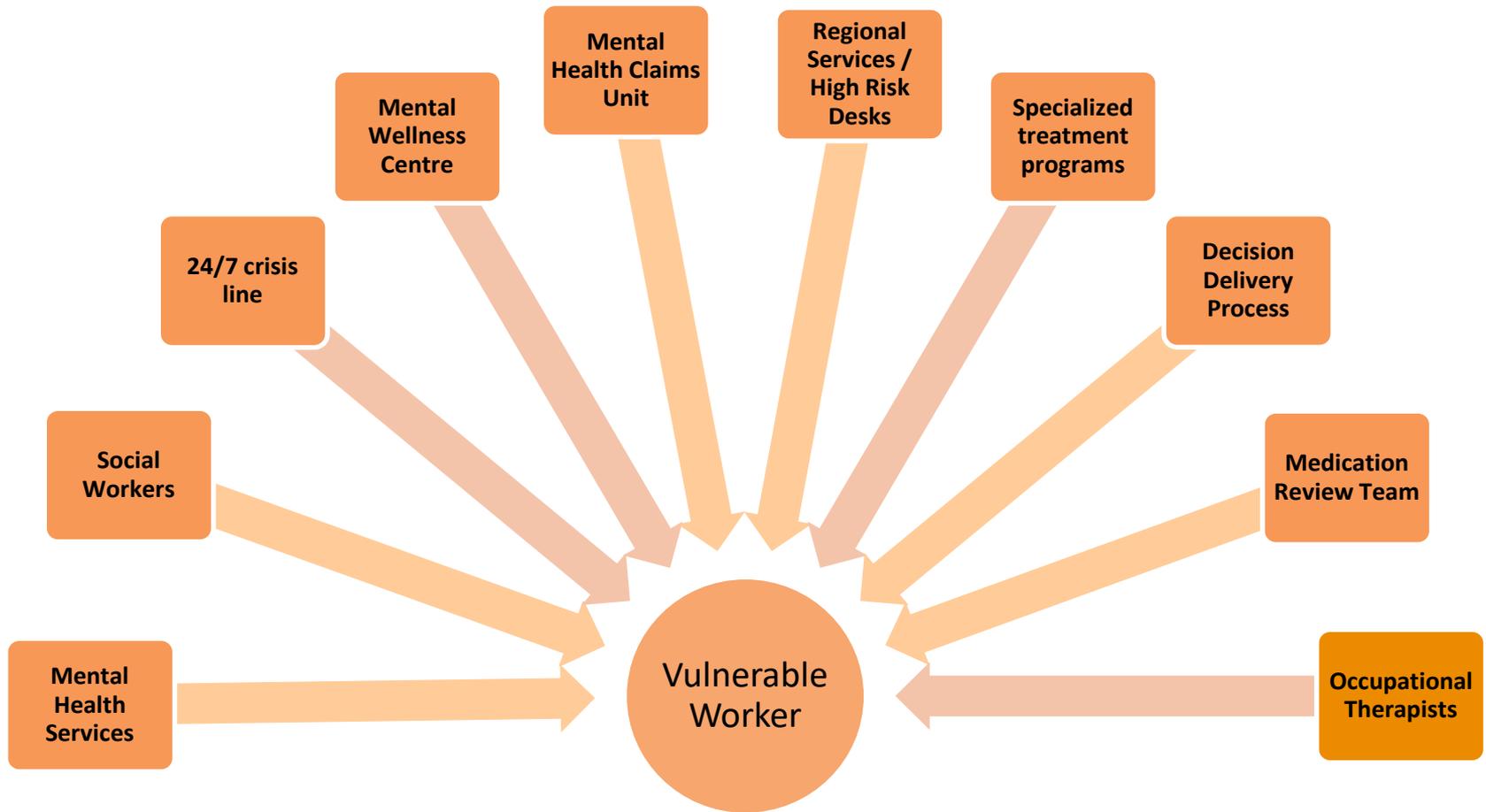
Adjudication Process

1. Review key forms and request worker submission
2. Telephone Interview: Worker history and submission review
3. Section 55 review (claim filed within 1 year unless “special circumstances” exist)
4. Determine work causation (“out of and in the course of”)
5. Complete comprehensive investigation (prior medical reports / incident or investigation reports / police reports / corroboration of events)
6. Determine if event(s) described could be considered traumatic or significant work related stressors. If yes, refer for psychological assessment.
7. Review psychological assessment to determine if claim is compensable
 1. If event traumatic – apply causative significance test (more than trivial or insignificant)
 2. If significant work related stressor – apply predominant cause (primary cause)
8. Determine if claim is allowed or disallowed

Case Management Service Delivery

- From 2012, specialized unit established with a single point of contact – Entitle and Hold model
- Program review in November 2016 recommended a move from Entitle and Hold model, to entitle and route. Case managers split into 2 groups. Initial adjudication and RTW
- April 2018 – Introduced Entitlement Officers to adjudicate presumption claims
- “Brief” Psychological Assessments for presumptive claims (no causation”
- September 2018 – Case managers will focus on return to work, and all initial adjudication will be done by entitlement officers

Mental Health Supports and Services



Questions and Discussion