

Medical investigation benefits

Determining eligibility for workers' compensation coverage

WCB-Alberta is committed to making timely decisions related to benefit entitlement on claims. Specifically, our goal is to make a decision—and payment if a worker is missing time from work—within two weeks of being notified of a new claim or receiving information to reopen an inactive claim. In some cases, however, decision making may take more time if additional medical information (i.e., investigation) is required to make a decision. In these cases, we may pay compensation benefits to a worker while the medical investigation is underway.

Section 38(3) of the *Workers' Compensation Act* provides the authority to carry out a medical investigation to make an entitlement decision. Section 38(4) of the *Workers' Compensation Act* allows WCB to pay benefits during the medical investigation.

Under what circumstances does WCB consider paying wage loss benefits during a medical investigation?

WCB will typically consider paying benefits during a medical investigation when determining eligibility for coverage for:

- A new claim or a reopening of a claim, or
- A new injury under an existing claim where accepting the new injury would result in payment of additional benefits.

Three criteria must be met to qualify for wage loss benefits during a medical investigation:

1. The worker is not receiving and is not eligible to receive benefits from another party.
2. There is a probability (more than likely) that the adjudicator or case manager will accept entitlement following the medical investigation.

3. The worker will experience financial hardship as a result of the delay in the entitlement decision.

If a worker's claim or injury is not accepted following the medical investigation, is the worker required to repay the benefits they received?

No, the worker will not be required to repay the benefits they received during the medical investigation.

Is an employer entitled to cost relief for benefits paid to a worker during a medical investigation?

If a worker's claim or injury is accepted following medical investigation, the benefits paid to the worker during the investigation are considered claims costs and cost relief is not provided. If the claim or injury is not accepted, however, cost relief is provided to the employer for the benefits paid during the medical investigation.

