

**THE WORKERS' COMPENSATION BOARD
MEETING OF THE BOARD OF DIRECTORS
MINUTES**

DATE: April 30, 2019

PLACE: The Workers' Compensation Board
12th Floor Board Room
Jarvis Building
9925 - 107 Street
Edmonton, Alberta

TIME: 8:00 a.m.

BOARD MEMBERS

Grace Thostenson, Chair
Mike Boyle, Member
Erna Ference, Member
William Hnydyk, Member
Philip Hughes, Member
Ivana Niblett, Member
Mary Phillips-Rickey, Member
Dave Rebbitt, Member
Keith Serre, Member
Jane Sustrik, Member

EXECUTIVE

Trevor Alexander, President & Chief Executive Officer **
Ron Helmhold, Chief Financial Officer ♦*
Wendy King, Chief Operating Officer ♦*
Marcela Matthew, Vice President, Worker Health & Wellness ♦*
William P. Ostapek, Secretary and General Counsel ♦*
Roxy Shulha-McKay, Vice President, Employee & Corporate Services *

ALSO PRESENT

Leslie Henkel, Board of Directors' Secretariat ♦*

♦ excused for item 9

* excused for item 12

** excused for item 12 (part 2)

6.1 **Policy 04-06, Part II, Application 5, Medical Assistance in Dying**

The draft policy was open for online consultation for 60 days, from January 3 to March 5, 2019. Twelve responses were received. Eleven of the twelve submissions agreed to the basic premise that a medically-assisted death attributable to the compensable injury is considered a compensable fatality. There were several issues raised, three of which have resulted in changes to the proposed draft policy. The changes are for clarification, rather than substantive:

- Three submissions (2 employers and 1 employer association) questioned how the overall costs of the compensable fatalities would affect employer costs and experience rating. A new question (Question 5) has been added to confirm that the costs of the fatality will be treated in the same way as those of any other compensable fatality.
- Three submissions (1 employer and 2 employer associations) asked what the process would be for workers living out of province. WCB does not have any involvement in the actual process so, to assist workers, a link to Health Canada's information page has been added to Question 2.
- Two submissions (1 labour union and 1 worker) expressed concern that workers with occupational diseases were not included under the policy. Occupational diseases are included under "work injury"; however, for clarity, a note has been added in Question 2.

Only a very few workers seek medical assistance in dying, and therefore no significant costs are anticipated as a result of the proposed policy.

MOTION
2019/05/11

It was moved that,

"The Board of Directors approve draft Policy 04-06, Part II, Application 5. This is a new policy application that explains WCB's approach when a worker accesses medical assistance in dying (MAID) as a result of a compensable injury. The proposed policy provides that:

1. The decision on eligibility for MAID is outside WCB's role, and WCB will not participate in or guide the process.
2. If it is determined that the injured worker's compensable condition qualifies the worker for a medically assisted

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death, WCB will accept the medically assisted death as a work-related fatality and will provide benefits and services to the surviving dependants, as would be done with any work-related fatality.

3. When it is determined that the medically assisted death is a compensable fatality, WCB will pay for the healthcare costs associated with the MAID process.

Effective Date: June 1, 2019, applying to all decisions made on or after that date."

CARRIED