

Continuity

We are fielding quite a few calls on “I had an injury a number of years ago” from our members wishing to pursue further entitlements under that claim.

If that injury resulted in a NEL (non-economic loss award) then the “door” remains open when the condition deteriorates above the award level, or you aggravated that body part to the point of requiring medical treatment. That could include therapy’s, medications or entitlement for a reassessment to their NEL

The problem arises when you were not awarded an NEL or their has been no medical continuity established to the Board over a period of time, this would leave the Board believing you reached maximum medical recovery with no permanent impairments. Now a number of years have passed and you suffer problems to the original area of injury.

We would have to show that the original problem was never resolved through medical evidence. That could be your family doctors clinical notes showing ongoing complaint. A specialist report relating your ongoing problems to the original injury accompanied with results from imaging or other tests. Without this type of medical support it becomes very difficult to go back on the claim.

The message here is if you have ongoing problems no matter how insignificant you feel it is, make it known to your health provider, and have it reflected in clinical notes. This does not guarantee anything but a fighting chance to benefits you may be entitled to. Continuity is the message here.

Any concerns or questions please feel free to forward them to your Compensation Committee.

In Solidarity
Joe Cantwell
Compensation & Benefits