

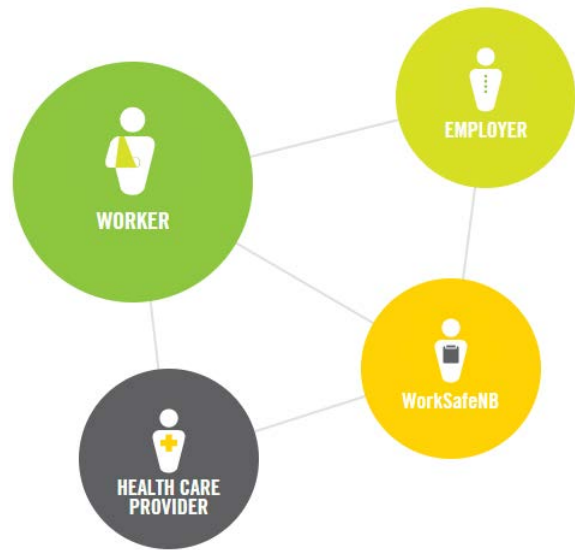
Is mental stress a compensable injury? What constitutes a traumatic event?

GUIDELINES FOR PSYCHOLOGISTS

The health and safety of New Brunswick workers is WorkSafeNB's priority. In addition to prevention services, we aim to provide timely medical treatment and wage replacement benefits to workers who experience a work-related injury or illness. Health care providers, like you, play a critical role in this goal.

HEALTH CARE PROVIDERS:

- Provide WorkSafeNB with medical reports about the injury.
- Provide services to injured workers to help with their recovery and a safe return to work.
- Identify issues and barriers influencing return-to-work plans and make recommendations to address these issues.
- Manage the injured worker's recovery expectations.
- Communicate and collaborate with all parties involved in the return-to-work process as required.



TIP: Working to Well offers recovery guidance for workers, health care providers and employers. Check it out!

Assessing the injury

Providing timely support to workers requires a thorough review of evidence to determine if the injury or illness is compensable under the *Workers' Compensation (WC) Act*.

The *WC Act* excludes mental stress as a compensable condition except when the disablement of mental stress or a disablement caused by mental stress is the result of an acute reaction to a traumatic event.

Adjudication is the first step to determining eligibility for workers' compensation under the Act. Psychologists are critical in this process by providing a qualified opinion on the following three necessary conditions for entitlement:

1. The worker has suffered an acute reaction (injury).
2. The acute reaction was caused by a traumatic event (accident).
3. The traumatic event arose out of and in the course of the worker's employment.

Adjudication can be delayed when we receive vague or missing details from providers. Unfortunately, this typically leads to a delay in worker benefits, including wage replacement and medical aid. In such cases, the adjudicator must seek further clarification or arrange a second assessment – both of which slow the worker's recovery and access to benefits.

Is mental stress a compensable injury? What constitutes a traumatic event?

GUIDELINES FOR PSYCHOLOGISTS

DSM-5 PTSD Criterion A

WorkSafeNB follows the DSM-5 definition of traumatic event (PTSD Criterion A). We ask you to also apply this standard and definition when assessing stress claims.

- The DSM-5 defines trauma exposure as “exposure to actual or threatened death, serious injury, or sexual violence.”
- It further notes: “emotional reactions to the traumatic event (fear, helplessness, horror, etc.) are no longer part of Criterion A.” These means that, while situations at work may be perceived as traumatic by the worker, this is not sufficient to meet the criteria for a traumatic event. For example, while upsetting and potentially a cause of distress that would legitimately lead to a workplace absence, workplace bullying/harassment/verbal abuse, would not be considered traumatic unless it involved threat of death, serious injury or sexual violence.

TIP: Learn more about our policy on traumatic mental health on our website.

- PTSD is not the only compensable diagnosis that can arise in response to exposure to a traumatic event at the workplace. Other commonly diagnosed conditions include major depressive disorder, adjustment disorder and panic disorder. Entitlement depends not on the nature of the symptoms but rather on whether the diagnosis is a result of the worker having experienced a traumatic event at work.
- In the case of an injured worker presenting a symptom pattern of PTSD (intrusion symptoms associated with the event, persistent avoidance of stimuli associated with the event, negative alterations in cognitions and mood, etc.) in response to a stressor that does not meet PTSD Criterion A, the appropriate diagnosis would be adjustment disorder (please refer to page 288 of the DSM-5 for more information). Under the current *WC Act*, the claim would be denied – not due to the condition but rather the absence of a workplace event that meets the DSM-5 definition of a traumatic event.
- WorkSafeNB’s policy [Conditions for Entitlement – Traumatic Mental Stress](#) specifically excludes human resource issues, such as poor work conditions, receiving an unfavourable disciplinary review, changes in working hours or duties, etc., as traumatic events. These situations are not considered traumatic but could certainly be stressful. In these cases, employment insurance (EI) sick benefits, health insurance coverage offered through the workplace or employee and family assistance programs (EFAPs) may be appropriate.
- Approach any assessment of workplace trauma with balance and objectivity. Consider not only the worker’s description of the event and their reaction to it but also the employer’s description of what happened. It is not unusual for discrepancy to exist between the two versions. You may need to reconcile the two accounts.
- Don’t have sufficient information to provide a qualified opinion on the event or events? Contact a WorkSafeNB case manager or adjudicator.
 - There may be other available reports on file that could help you with a diagnostic formulation.
 - We may investigate the event or events further.

TIP: Use MyServices for confidential, secure email with a WorkSafeNB case manager or adjudicator.

Is mental stress a compensable injury? What constitutes a traumatic event?

GUIDELINES FOR PSYCHOLOGISTS

COVID-19 and other illnesses

The DSM-5 clarifies medical illnesses that are considered “traumatic.” This is especially helpful for reviewing COVID-19-associated stress claims.

The DSM-5 states that a life-threatening illness or debilitating medical condition is not necessarily considered a traumatic event (see page 274). It further explains that medical incidents that qualify as traumatic events involve sudden, catastrophic events (waking during surgery, anaphylactic shock, etc.). As such, WorkSafeNB only considers contracting medical illness at work to be psychologically traumatic when there is a sudden/catastrophic event. This means that contracting illnesses such as COVID-19 or HIV/HepC (such as needle stick) are generally NOT considered psychologically traumatic. We must consider the particular context (waking up while ventilated for COVID-19 in ICU; health-care worker receives a needle stick during an interaction with aggressive patient, etc.).

Intentional exposure to bodily fluids at work, often occurring in the correctional system, is generally considered traumatic as it represents a form of physical assault.

Pre-existing conditions

Ensure you report pre-existing mental health conditions in sufficient detail in the [Initial Psychological Assessment Report](#). The pre-existing conditions section is often neglected or vaguely addressed and is a frequent cause of avoidable delays in claim processing and recovery support.

Documenting a worker’s pre-existing mental health issues will not “be used against the client” or automatically lead to a rejection of a mental health claim. WorkSafeNB considers all relevant information in decision-making. The DSM-5 states that “vulnerability factors,” including pre-existing mental health issues, often distinguish those who develop PTSD from those who don’t in response to traumatic events. Pre-existing factors do not necessarily lead to a rejection of a claim for PTSD or other conditions arising out of a traumatic work event.

Initial Psychology Assessment Report

Detailed reporting is critical to proper treatment. Please use the *Initial Psychological Assessment Report* form and complete all sections in full.* You’ll ensure all required information is provided, helping workers access medical treatment and wage replacement quickly – so necessary to their effective recovery.

TIP: Go to the WorkSafeNB website for details on completing this report as well as information on billing, progress reports and closing files.

When in doubt, reach out!

WorkSafeNB adjudicators and case managers often seek help from a psychology consultant when making claim-related decisions. We invite you to contact us with questions or concerns at: psychology-psychologie@ws-ts.nb.ca.

*WorkSafeNB will compensate for the time required to complete the report.